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SEMI-WEEKLY.

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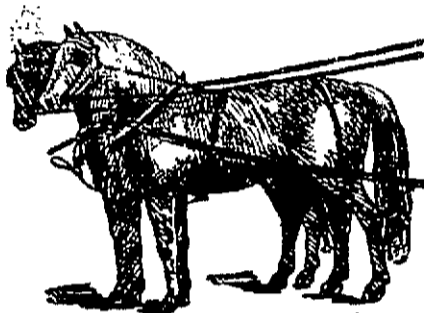
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Testimonial to Agent Bergstrom

From a Celebrated Pianist.

(P. C. Advertiser, January 10, 1896.)

Honolulu, H. I., December 28, 1895.

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DEAR SIR:—It gives me much pleasure

to testify to the merits of the Kroeger Cab-
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The piano has a very superior tone quality

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THE GREAT BLOOD PURIFIER & RESTORER

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Cures Cancerous Ulcers.

Cures Blood and Skin Diseases.

Cures Glandular Swellings.

Cures the Blood from all Impure Matter

From whatever cause arising.

As this mixture is pleasant to the taste, and

warranted free from anything injurious to the

most delicate constitution of either sex, the

Proprietors solicit sufferers to give it a trial to

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JAPANESE PETITION.

Want a Man of Integrity for

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EFFECT OF OPIUM SEIZURE.

A Petition to Collector-General—Fear
They Have Been Discriminated
Against—Chester Doyle's Visit to
Kauai—Ball Offered for Iwato.

The Japanese colony is more
worked up over the arrest of
Hoshina, a clerk in the appraiser's
office of the Custom House, than at
anything that has taken place
since the Chinese-Japanese war.

The men under arrest have as
many friends as enemies, so that
the opinion as to the guilt or in-
nocence of the persons is equally
divided. The Rising Sun, edited
by Sato, an intelligent Japanese,
published in yesterday's issue a
rumor to the effect that Feuruya,
the Japanese merchant who was
arrested in connection with the
smuggling affair, had been expelled
from the ring and had his revenge
in blowing on the men who were
in it. Feuruya denies that he
knew of the transactions until he
was landed in the station house.

The Japanese seem to be under
the impression that Hoshina has
manipulated invoices in a way
that has acted as a drawback to
the business of those who did not
grease his palm. To do away with
this the Japanese Commercial
Union held a meeting yesterday
afternoon and appointed a com-
mittee to draft a petition to be
presented to the Collector-General.
Following is a copy, without the
petitioners' names signed to it:

HON. JAMES B. CASTLE, Collector-
General of Customs, Republic of
Hawaii;

SIR:—Your petitioners, represent-
ing large commercial interests of the
Japanese residents in the Republic,
respectfully state:

That they are large importers of
merchandise from Japan which is
dutiable under the law and which,
that it may be properly valued in or-
der that the duty may be fixed, must
pass through the office of the ap-
praiser in your department of the
Government. From recent disclosures
your petitioners are constrained to
believe that you will recognize the
importance of having in the ap-
praiser's office a person of Japanese
nationality who, while proving faith-
ful to the trust imposed in him by
you as the head of the Custom's De-
partment, will be just and honorable
to those who have business relations
with him.

We as merchants and tax payers, as
men who contribute largely toward
the maintenance of the Government
by way of import duties, believe we
have, in certain instances, been dis-
criminated against through the in-
strumentality of the late incumbent
assistant to the Appraiser.

We, therefore, beg that, in the selec-
tion of a person as assistant to the
Appraiser you will be guided, as far
as possible, by the suggestions of the
merchants, who may be disposed to suf-
fer through the methods which a dis-
bonest person in the position might
adopt.

We have no desire to dictate or re-
commend anyone from the Commer-
cial Union, but we respectfully ask
that the person who you may appoint
to the place may have the endorse-
ment of men of standing in the Japa-
nese colony.

In making this request, we adopt
the course pursued by white mer-
chants when you were asked to ap-
point Mr. Fishel to the position of
appraiser. A person acquainted with
the lines of goods handled by Japanese
merchants will give better satisfaction
to the Government and to the mer-
chants than one who is not.

We respectfully petition that a per-
son with this necessary qualification,
coupled with honesty and integrity,
may be selected.

What effect this petition will
have upon the Collector-General
in selecting a successor to Hoshina
can only be imagined. The posi-
tion is not one that carries with it
any authority to fix values. The
man is merely a clerk or messenger
to perform such duties as the chief
of his department may assign.

Chester Doyle's mysterious jour-
ney to Kauai seems to have ended
suddenly, as he returned yesterday
tanned up and speechless. When
asked regarding the success or
failure of his trip, he said he had
returned and considered himself
lucky to get back so soon. Fur-
ther than that he would say noth-
ing. Mr. Castle declined to sup-
ply the ADVERTISER with any in-
formation concerning the seizure

PLANNING FOR A HOTEL

What May Come With En-

couragement.

CENTRAL SITE FOR BUILDING.

Merchants Agitating a Scheme—Fort
and Beretania the Corner—Modern
in Every Way—Roof Garden—Sub-
stantial and Handsome Building.

A new hotel has been the sub-
ject under discussion by the pro-
gressive merchants during the
past two days and from informa-
tion obtained yesterday the matter
seems to have a reasonable show
of success.

The idea is to erect an attractive
three-story building at the corner
of Fort and Beretania, owned by
Bruce Waring & Co. The hotel
will be modern in every way, even
to a roof garden. The lot takes in
besides the Irwin property that
known as the Mossman property
on Beretania street.

The building as projected will be
of brick and stone and will contain
one hundred rooms. On the first
floor there will be twelve or thir-
teen stores similar in style and fin-
ish to the one now occupied by N.
S. Sachs. The roof garden will be
a feature of the hotel, and will be
arranged after the style of the cele-
brated roof gardens in New York.
Besides being a modern restaurant,
where the guests of the house and
their friends may have their meals
served, there will be a stage large
enough for first-class entertain-
ments.

The roof garden will be fitted up
with the most comfortable and ap-
proved furniture suitable for the
purpose and will be a flower gar-
den in almost every respect.
Guests may sit at their tables and
enjoy their dinners midst flowers
and potted palms.

Bruce Waring & Co. were seen
by an ADVERTISER reporter yester-
day and questioned as to the
rumors. Both Mr. Waring and
Mr. Desky were reluctant to talk of
the matter until assured that it
had been canvassed by the busi-
ness men.

Mr. Waring said: "We bought
the property from W. G. Irwin as
an investment, intending to erect
a two-story building, the lower
part to be used as stores and the
second floor as a lodging house.

"When our intentions became
known an influential gentleman
called upon us and suggested that
we erect a hotel that would be a
credit to the city. The suggestion
pleased us very much but when we
considered the cost of such an un-
dertaking, we found it would re-
quire more money than we had
invested to carry it through.

"We calculated that a building
such as the people here would re-
quire, would cost, including the lot
\$150,000 and while we would like
very much to go ahead with it, we
saw it was not probable that we
could. This was our answer to the
gentleman who made the proposi-
tion.

"Then the matter was taken up
by a few merchants for the pur-
pose of raising whatever difference
might be necessary to carry out the
project. We were waited upon
again and in the meantime we con-
sidered the matter in a business
way and from every point of view.

"After due deliberation," con-
tinued Mr. Waring, "we decided to
abandon our original plan to erect
a building to be used for stores and
lodging rooms and join with the
merchants on their proposition,
provided they were willing to go
into the enterprise in a substantial
way.

"We have agreed to this: The
cost of the lot and building of a
hotel having at least one hundred
sleeping rooms will be at least
\$150,000. The lot is ours, you
will understand, and we will build
the hotel on it provided the citi-
zens are willing to contribute, say
\$25,000. This would make our
share \$125,000.

Several business men were inter-
viewed during the day and to a
man the scheme was approved.
There was only one who felt skep-
tical, and that because he believed
a hotel in Honolulu should be
erected in a locality where trees
and plants would be an attraction.

PORTUGUESE STIRRING.

Politics May Be Taken Up

Later.

IN UNION THERE IS STRENGTH.

Lack of Work Demands Co-operation.
The Big Colony a Unit—Realize
Government's Position—Considering
Advisability of Going to South Africa

The Portuguese colony is con-
siderably worked up over the in-
ducements offered them to emigrate
to South Africa, and there seems to
be no question that it requires only
a leader to take from the islands a
very large number of Portuguese.

A prominent merchant, in con-
versation with an ADVERTISER re-
porter yesterday, said:

"There has been no plan formed
as yet; we have simply organized
to protect ourselves. If emigration
to South Africa means protection
the plan will be to go there as a
colony. We have here about 13,000
of our people, including all ages.
I have no doubt that more than a
third of that number would go if
the reports concerning the advan-
tages of South Africa are half true.
We quite realize the condition of
affairs in the Government and its
inability to relieve any of the wants
of our people who desire work.
There is a general belief, however,
that the labor is not justly dis-
tributed, and the Portuguese who
have assisted in forming the Re-
public and maintaining it have not
been given the share that was
due them. No! the organization
has no political significance at
present; that may come later.

"I would not be surprised if the
union would become far reaching.
We realize that the Asiatics are
fast running out the Portuguese,
not only as laborers, but in busi-
ness, and we must do something to
stop it.

"The plantations, too, are mo-
nopolizing trade on the other
islands, and if it happens that Por-
tuguese laborers do not buy plenti-
fully at the plantation stores their
services are no longer required.

"On Maui the plantations are
establishing stores to an extent
that the Honolulu dealers are suf-
fering in consequence. They have
lines of vessels from San Francisco
to Maui, and the vessels are loaded
with the very supplies that were
formerly furnished by us, and I am
told they will soon add wine to
their different lines.

"Another thing. The adage that
troubles do not come singly is ex-
emplified in the case of some Por-
tuguese who leased land on Punch-
bowl from Mrs. Dominis and built
homes there. Those whose leases
have expired recently have found
that their rentals for renewals have
been doubled, and when they have
informed the ex-queen that with
the lack of work they could not
pay the increase, they have been
coolly informed that it made
no difference; they could not
have it for less. So you see
that the hard times will in some
instances keep the roofs from their
heads.

So far you will understand,
nothing definite has been done.
We have organized, as I say, for
protection. If the people decide to
leave for South Africa there will
have to be a great deal of work
done before we could go. It would
take a number of vessels to carry
as many people as would want to
go and this would all have to be
arranged. When I learn anything,
definite I will be glad to give you
all the information I have.

Not To Be Trifled With.

(From Cincinnati Gazette.)

Will people never learn that a cold
is an accident to be treated, and that
when it occurs treatment should be
promptly applied? There is no know-
ing where the trouble will end, and
while complete recovery is the rule,
the exceptions are terribly frequent,
and thousands upon thousands of fatal
illnesses occur every year ushered in
by a little injudicious exposure and
seemingly trifling symptoms. Be and
this, there are today countless inva-
sions who can trace their complaints to
"colds" which at the time of occur-
rence gave no concern, and were
therefore neglected. When trouble
with a cold or Chamberlain's Cough
Remedy. It is prompt and effective.
25 and 50 cent bottles for sale by all
druggists and dealers. BENSON, SMITH
& Co., Agents for H. I.

COMMITTEES ARE NAMED

Senators Who Will Report on

Opium and Tax Bills.

APPROPRIATION ITEMS DISCUSSED

Amendment to Land Bill Criticized.
Activity Among Representatives.
Minister Cooper Explains Position
of Executive—About Immigrants.

Sixteenth Day.

TUESDAY, March 10

The Senate spent another busy half
day considering the Appropriation
bills and the various reports of com-
mittees. The law-making wheels
were kept steadily in motion until 12
o'clock, when the secretary's desk
was clear of further work for the
upper house.

Senator Rice reported type-written
copies of Senator Lyman's bill for im-
proving Hilo streets, the bill author-
izing the Minister of the Interior to
make certain leases and the Appro-
priation bill for salaries and pay
rolls.

From the Miscellaneous Commit-
tee, Senator Horner presented the fol-
lowing report on items of the Appro-
priation from current receipts:

"Under the item of 'Incidental,
Civil and Criminal Expenses,' there
are so many calls for expenditures,
which are positively necessary, that
we do not see any way to make a re-
duction of the item and would there-
fore recommend that it pass at \$30,-
000.

"We have considered the item of
\$18,000 for 'Detective Service' with
the Attorney-General and would re-
commend a reduction of \$2000 making
the item \$16,000.

"We find that the \$8000 for the
'Support of Citizens' Guard,' includes
the guard of the islands of Oahu,
Maui, Hawaii and Kauai, and believ-
ing that in the citizens' organizations
rests the safety of the community, we
recommend that the item pass at the
original amount of \$8000.

Lighting item was referred to the Miscellaneous Committee.
After reading the final sections, the bill was referred to the Printing Committee for revision.
Adjourned.

House of Representatives.

Minister Damon replied to questions propounded on the previous day relating to changes in the valuation and assessment of property by the Board of Equalization, by presenting to the House the minutes of the Board relating to the subject, and also printed rules in force at the present time.

Rep. Richards reported the bill regarding the preservation of records and dockets of district magistrates, typewritten.

Rep. Kamaooha propounded the following questions to the Minister of the Interior:

"First—Is it the intention of the Government to introduce any more Chinese or Japanese laborers into the country?"

"Second—If so, please state to the House the number it is proposed to introduce."

"Is there not now enough labor in the country to satisfy the demands of the sugar and rice plantations and other industries, without introducing more?"

"The Cabinet is requested to state what it intends to do in the matter of labor."

Senate bill No. 4, relating to amendments to the Land Act, was brought forward.

Minister Cooper moved that the bill pass its second reading.

Rep. Richards said that he expected more information. The House had postponed consideration because more time had been asked for the consideration of the bill. If the motion made by Minister Cooper was the only additional information the Executive had to introduce, then the only thing to do was to adopt the report of the committee.

Rep. Ryeroff said that the Land Act had been passed six months ago. There had been no change in conditions since that time. The part which it was proposed to change had been thoroughly gone over and discussed. Then, when the bill was passed, strangers here who had heard that the natives had been and were being robbed of their lands thought that this matter of giving them free land was one of the best things that had ever been done for the country.

Minister Cooper had remarked that an oversight had been made by the Government; clearly there was a big oversight. The Ministers were all present during the discussion of the bill. The conditions had not changed and until then the bill should be allowed to stand as it is. When a man settles on a homestead it will not be fixed up for him. He must expect both energy and money and should not be hampered. Continually petitions were coming in for a reduction in the purchase price of the land. The native Hawaiians are forced to work much harder for their money now than in the olden times. Mr. Ryeroff was in favor of giving them two years' time for a good trial under the conditions of the Land Act.

Rep. Winston wanted to know if the Ministers proposed to introduce any further information. If they did not then the House should proceed with the matter.

Minister Cooper said that the petition for more time did not come from the Ministers' side. Some one of the members of the House proposed that consideration be postponed on account of the absence of Attorney-General Smith. He regretted to find himself representing the whole Cabinet as against the report of the committee. The Cabinet and President had held another meeting and had decided unanimously to urge the passage of the bill. The matter of the oversight in the law had been a surprise to the Executive. Knowledge had come about in this way. Mr. Bolte had written an article for one of the German newspapers in which he had stated that land would be dealt out to foreigners free of rent and taxes. He was called to task and said that he had simply echoed the law on the matter. Upon examination it was found that Mr. Bolte was correct. The change was reconsidered almost immediately.

Rep. Ryeroff said that he must have been misinformed if the Minister was correct in what he said. He understood that Mr. Bolte had written as an inducement to German laborers to come into the country. He did not think that it was intended that Germans would come into the country and settle at once on the land.

Minister Cooper was sure that the House had confidence in the Executive regarding the good of the Hawaiians. That was one of the principal points before the Executive at all times. He believed that, under the present law, the native Hawaiians would become beneficiaries of the Government. He was sure that none would be in favor of placing themselves in such a position. It would work as a detriment instead of a benefit. The rent at the uppermost would be very small. The appraisement would be on the basis of eight acres of good land or sixteen acres of second-class land. Valuation on the best land could hardly be imagined more than \$100. At 4 per cent, this would be \$4 a year at the highest. The value of a man's possessions is in accordance with what he has expended on them. The previous homestead law was a very gratifying one, and yet the amendment proposed would not make the present law nearly as hard to bear. By making conditions so that a small sum would have to be paid by the holders of homesteads, the incentive toward making a good home would be increased something of value has been expended on it.

Surveying and laying out roads was another matter to be considered. This cost money, and it was the fear of the Executive that by granting entirely free land the law would become a dead letter.

Rep. Ryeroff said that it was true the holders of homesteads would be exempt from taxation, but he thought they would be for a year or two until they get started.

Rep. Kamaooha had been looking at the last sections of the Land Act and found that, after twenty years, there would be a revaluation of the land. After that time, as he understood it, 4 per cent would be placed on the land. A great many of the

representatives were not fully informed on the provisions of the Land Act. Rep. Kamaooha moved that the bill pass its second reading. He also suggested that, in the interval, the members of the House read up on the Act.

Rep. Kamaooha further remarked that the Government could not go on building roads and making improvements on the lands proposed for homesteads if no taxes were forthcoming. Each person holding such land should contribute something to the Government. It might be a good thing for the Attorney-General to be present during the third reading of the bill.

Rep. Hanuana said he was of the opinion Rep. Kamaooha was wrong in the matter of taxes not being paid until after twenty years. As he understood it, just as soon as land is taken up the taxes begin to run. He did not think that the passage of the report of the committee to table the bill would embarrass the Government very much, but since he thought the bill proposed a good one he would second the motion of Minister Cooper that the bill pass its second reading.

Rep. Ryeroff did not think it a wise thing to oppose any measure coming from the Executive. They were responsible men and on the quiet for the interests of the country. They should be held in confidence by the House. However, he was very much surprised that the oversight had been made by the Executive, particularly since the part it was now proposed to amend was treated so exhaustively. Mr. Ryeroff did not think it a good thing to allow any one to have land entirely free. It was a good thing for each homesteader to pay something for what he has.

Rep. Richards was not yet ready for the question. He did not thoroughly understand the Act and moved that consideration be postponed until Wednesday. He did not see any reason why more time should not be granted for the consideration of a matter so important and far-reaching.

Rep. Bond asked Minister Cooper if the bill introduced as an amendment was not out of fear of too many for signers coming into the country. Minister Cooper replied in the negative, and added that the law as it now stands would result in the occupancy of a very few lots and would tend to kill the law itself. There would be no money forthcoming for surveys, roads and other improvements. The twenty-year limit was for the protection of the homesteaders. One valuation would be set at the beginning of the term and could not be changed until the expiration.

Rep. Bond wanted to know if every one holding land valued not above \$300 was exempt from taxation.

Minister Cooper replied that such was a fact. If that was the only possession of the owner then no taxes would be required, but if other was owned then each would simply act as an asset.

The motion of Rep. Richards, to postpone consideration of the bill until Wednesday, carried unanimously.

House bill No. 5 came up for third reading.

Rep. Ryeroff opposed the passage of the bill, without the amendment including Hilo and Wailuku in the places for the safe keeping of records and dockets of district magistrates. The records and dockets of Hawaii should go to Hilo and those of Maui to Wailuku. They would be of no account in Honolulu. If this thing of bringing everything to Honolulu should be kept up it would result finally that one could not breathe unless first coming to Honolulu.

Rep. Ryeroff moved that the matter be referred to a select committee. The Speaker chose Reps. Ryeroff, Kamaooha and Richards to act.

Under suspension of rules Rep. Kamaooha propounded the following questions to the Minister of Foreign Affairs:

"First—Please state the number of Japanese and Chinese that have been brought into the country as laborers during the two years ending December 31, 1895, to supply sugar plantations and other industries."

"Second—How many Chinese and Japanese have departed during the last two years?"

Rep. Kamaooha stated that the reason for asking the questions was because no reports had come from the immigration authorities, and the House was groping around in the dark.

House adjourned at 11:45.

WAS EXONERATED.

A. J. Smith Did Not Commit Intentional Forgery.

United States Commissioner Hancock has given A. J. Smith a complete exoneration of the charge of forgery preferred against him by Cashier Burns of the Sub-Treasury, says the San Francisco Bulletin of recent date. Smith was arrested for having, as alleged, forged the name of another A. J. Smith to a treasury draft for \$1,875 which he had received through the mail from the department at Washington. At the preliminary examination the defendant proved that he was in the employment of the department and had sent in a claim for services rendered. When the draft arrived addressed to him, apparently, he observed that it was not for the amount he had demanded and he made all due inquiry as to whether there was any other A. J. Smith for whom it might be intended. Failing to learn that there was and acting on the advice of several customs officials he went to the Sub-Treasury, had the draft cashed and signed his own name to it. Commissioner Hancock thought Smith had taken more than ordinary care in the matter and said he took pleasure in dismissing the charge.

Police circles have been in a state of excitement during the past week on account of the interesting cases that have come to light.

HILLO RIFLEMEN BEATEN.

360 Points as Against 421 Made by Company B.

Men Very Much Disgusted with the Score—Deciding Match Will Come Off Soon.

The Hilo riflemen are good but the boys of Company B are better when it is a question of puncturing the bull's-eye and making it feel uncomfortable by close shots around the edges.

As soon as the Kanau hauled alongside her wharf yesterday the news was noised abroad that the Hilo team had made 360 points in the shoot of last Saturday as against 421 of the Company B men, who shot first in the match.

The individual scores are as follows:

H. C. Austin.....	44545444445—43
Out. Ross.....	4344454434—39
J. M. Herring.....	4434444443—38
Peter Gibb.....	4454425433—28
A. M. Wilson.....	4344325444—27
E. D. Baldwin.....	3354434452—37
Alex. Valentine.....	4438438444—38
P. McRae.....	3443444333—35
N. C. Williford.....	4544334403—34
J. R. Wilson.....	2444222003—23

Total..... 360

In a letter received from Hilo it was stated that the shooting was the worst ever done by the Hilo team.

The teams are anxious to shoot off the deciding match as soon as possible, but it is thought hardly probable that they will be able to do it before April 25th.

Following is what the Hilo Tribune has to say about the shoot:

"After several days this match at last came off on the afternoon of Wednesday, March 4th. The wind was contrary as possible and the results were a poor shoot and a poorer score. Captain H. C. Austin scored the highest, 43. Only ten bull's-eyes were made."

HILLO NEWS ITEMS.

Now that Pele has begun shaking the neighboring country, a fresh burst of activity may be expected in a short while.

T. W. Rawlins, of Honolulu, is in town. He is satisfied that Hilo has a future, and it is not unlikely he will enter business here as a manufacturer of soap.

David Nape, school teacher in Puna, has resigned and left for Honolulu, where he has entered the Hawaiian Government band. Nape is a very good musician, and was formerly a member of the Royal Hawaiian Band.

The Waiakea mill has added another improvement in the shape of a revolving cane cutter. The machine is somewhat similar to the cane-shredder, and is manufactured by Smith, of Glasgow, Scotland. It cuts the cane into small pieces, and, by its revolving apparatus, saves the labor of six men every twenty-four hours.

Father Conrady, who was lately in Hilo, and who was for eight years the resident leper apostle on Molokai, has received letters from friends in Hongkong which contain graphic accounts of the misery and deplorable condition of the leper colony of Canton, China, where he expects soon to reside. There are a large number of lepers in that city.—Hilo Tribune.

REV. EMERSON'S MISSION.

Marries Lady Artist of Talent in Roxbury, Mass.


Miss Eugenie Homer, daughter of the late Thomas J. Homer of Roxbury, and Rev. Oliver Pomeroy Emerson, were married yesterday afternoon in the Roxbury Unitarian Church, when, despite the inclement weather, the audience room was packed.

Messrs. T. J. Homer, Sidney Homer, George B. Eliot, J. Hazard, Frank Brewster, George Clark, Herbert S. Harding and Frederick S. Coffin acted as ushers, and preceded the bridal couple to the pulpit, where Dr. DeNormandie read the marriage service.

Rev. J. W. Forbes of Peace Dale, R. I., was best man. The bride was gowned in white corded silk, en train, with chiffon garniture, and wore a short veil of tulle, edged with Honiton lace, thrown back from the face. Her bouquet was of Catherine Mermet roses. She is an artist as well as a very talented girl in general. She was given away by her brother, Mr. Joseph W. Homer.

A reception followed at the bride's home on Winthrop street, where among the many beautiful gifts was a work of art from St. Gaudens, the eminent sculptor, who is a brother-in-law to the bride.

The groom is secretary of the Hawaiian Board of Missions, and the future home of Mr. and Mrs. Emerson will be in Honolulu. They will go abroad on their wedding tour.—Boston Herald.



FOUR NEW UNITED STATES SENATORS.
Wellington is Maryland's new senator. Money will succeed Senator George, of Mississippi, in 1899, and Cannon and Brown are Utah's first senators.



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RUBBER STAMPS

At Hawaiian Gazette Office.

LEGISLATIVE MATTERS.

Short Session in the Senate
Yesterday.

SENATOR HOLSTEIN SITS TODAY.

The House Gets Down to Work—Land Bill Discussed—Active Mr. Robertson—Letter from Auditor Laws. The Great Seal Comes Up Today.

Seventeenth Day.

WEDNESDAY, March 11.

The first business on the Senate calendar was the consideration of the following communication from Auditor General Laws:

"I have twice protested to your honorable body against the payment of 'Expenses of the Legislature' without previous approval by the Auditor-General, as being contrary to the provisions of Section 19 of the Audit Act. In view of the fact that the appropriation of \$15,000 for the expenses of the present session has become law by publication today, without any provision exempting such expense from approval by me before payment, and, in anticipation of a pursuance of former methods in regard to their payment, which have been plaitly contrary to law, I would respectfully request a formal expression by the Legislature for record in the Audit office, on the legality of such proceeding."

"I would say that, before passage of the appropriation, I suggested to the Minister of Finance the insertion of a clause in the Act exempting such expenses from approval by the Auditor-General, if such was the intention of your honorable body; but, as no such clause appears in the Act, I feel forced to make this communication in order to determine my course in the matter of this appropriation."

"An immediate reply is earnestly requested."

Senator Baldwin moved that the communication be referred to the Judiciary Committee. Senator Waterhouse moved that the matter be referred to the Executive.

The Minister of Finance said he had always held that any Act which the Legislature passed should have precedent over any other Acts on the statute books, and he as Minister of Finance had no right to say whether or no the bills should be paid. It was his business to pay the money and say nothing. Senator Waterhouse withdrew his motion and Senator Baldwin's motion was carried.

Senator Rice reported final copies of the Act empowering the Minister of the Interior to make certain leases.

Senator Horner presented the report of the Miscellaneous Committee, in which they recommended that the Attorney-General bring in a resolution authorizing the Marshall's department to write off the deficiency of 1890 to profit and loss. The report of the committee was adopted.

Minister Damon introduced the bill relating to licenses for first reading. Referred Printing Committee. House bill No 1 was taken up for third reading. This is the bill authorizing the Minister of the Interior to make a certain class of leases. The bill passed the third reading by unanimous vote.

Senator McCandless called attention to the fact that Senator-elect Holstein had arrived and might receive the oath of office. As Mr. Holstein's credentials were not prepared, the ceremonies attending his taking his seat were deferred, and the Senate adjourned to the usual hour Thursday.

House of Representatives.

Minister Cooper presented the following answers to the questions of Rep. Kamaoaba regarding Chinese and Japanese laborers arriving in and leaving the country:

Interesting Statistics.

"Arrival of Chinese laborers during the period (two years ending December 31, 1895), 1084.

"There is no record of the number of Japanese coming into the country since the 24th of June, 1894, in this office. Details in regard to Japanese immigration since that time may be found in the Bureau of Customs."

"The total number of arrivals of Japanese under the convention of 1886 were 23,071 men, 5487 women; contracts expired, 18,620 men, 4389 women; yet to expire, 4451 men, 1095 women."

"January 1, 1895, there were 2809 Chinese laborers on plantations.

"Arrivals during the year 1895, 1084.

"Departures of Chinese during the year 1895, 1181 men, 48 women.

"Total number of Japanese on plantations January 1, 1895, 11,487 men and 1144 women."

"Arrivals between January 1st and November 14th, 1587 men, 371 women."

"Number of Japanese departing January 1st and November 14th, 1178 men and 349 women."

"Total remaining November 14th, 11,376 men, 1168 women."

Rep. Kamaoaba was in favor of getting a report from the Customs department, as suggested in the answers of Minister Cooper. This should be considered with the report of Minister Cooper in regard to arrive at some definite idea regarding the immigration for the time specified.

Rep. Kamaoaba was sure that it would take a long time before the Customs House would make reply.

Rep. Ryeroff said that no questions asked of the various departments by the House had ever been delayed in the matter of answers for over twenty four hours.

Rep. Kamaoaba moved that the answers of the Minister of Foreign Affairs be referred to the Printing Committee for translation and printing.

Minister Cooper Explains.

Minister Cooper said that the reports from the Customs department and his own would not be on the same thing exactly. His answers dealt with the laborers alone, while the figures of the Customs House would give the total number of immigrants whether laborers or not. A large number of Chinese had come into the country on six months' residence

bonds. These were not laborers. A combined report of the Interior, Foreign and Customs departments was necessary to procure a reliable report on the number of immigrants.

Rep. Ryeroff asked Minister Cooper if the Government could furnish a complete report without getting the figures of the three departments suggested.

Minister Cooper said that a combined report was necessary.

Rep. Ryeroff said that the registration bill would do away with all this, and all of the labor coming into the country could be figured up without so much trouble.

The matter was referred to the Committee on Foreign Relations to collect the reports of the different departments interested and report.

Auditor General Complaints.

The following communication was received from Auditor General Laws:

"To the members of the Legislature of the Republic of Hawaii—Gentlemen: "I have twice formally protested to your honorable body against the payment of 'Expenses of the Legislature' without previous approval by the Auditor-General, as being contrary to the provisions of Section 19 of the Audit Act. In view of the fact that the appropriation of \$15,000 for the expenses of the present session has become law by publication today, without any provision exempting such expense from approval by me before payment, and in anticipation of a pursuance of former methods in regard to their payment, which have been plaitly contrary to law, I would respectfully request a formal expression by the Legislature for record in the audit office, on the legality of such proceeding."

"I would say that before passage of the appropriation I suggested to the Minister of Finance the insertion of a clause in the Act exempting such expenses from approval by the Auditor-General, if such was the intention of your honorable body, but as no such clause appears in the Act, I feel forced to make this communication in order to determine my course in the matter of this appropriation."

"An immediate reply is earnestly requested."

Communication referred to the Joint Committee on Finance.

A communication from the Senate announced passage on third reading of House bill No 3, relating to laundries and washhouses; also Senate bill for improvement of Hilo streets passed third reading.

Rep. Richardson reported House bill No. 6 printed and ready for distribution.

Rep. Robertson reported for the Committee on Great Seal. Alterations had been made in accordance with certain criticisms.

Rep. Ryeroff made a report of the special committee on the preservation of dockets and records of district magistrates, recommending several changes.

Homestead Laws.

The bill relating to homesteads came up for discussion with the report of the committee to have same laid on the table.

Attorney-General Smith moved that the bill pass its second reading. The same objections as in the House had been made in the Senate but the latter branch of the Legislature had finally deemed the provisions of the bill sound and had passed it. Mr. Smith did not think that hardship would be a result of the bill should it pass. To his mind it would work a great amount of good and would make the land more valuable to the holders thereof. There seemed to be a great deal of force in the argument that the status would be bettered. More thought would be expended on the occupancy of land if the homesteaders were required to do so the amendment to the Land Act proposed. Under the present law thoughtless persons would take up land for a little while, get tired and then move out. Nothing had been put into the land and nothing was there to keep them.

Rep. Robertson was very much in favor of adopting the report of the committee. The \$300 exemption law would not work. According to the provisions a man must build a house up the land he occupies before the expiration of two years. Any kind of a house would cost at least \$3000. Then a man would have his house and his land together as his property. The result would be that, taking the house and lot together he would have to pay taxes for the value of the same which would be over \$300.

Attorney General Smith said that he had seen certain houses on Hawaii that had been built for \$50.

Rep. Robertson said that that was the fault of the Government. They were hampered by the money they had to pay on the land, and were unable to expend more than \$50 on their houses.

Attorney General Smith said that, in case of necessity, a house could be built for \$5 or \$10.

Rep. Robertson said that he had enough of these kind of houses, if such they could be called. It would be found a difficult matter to build a house for very much less than \$300.

Rep. Robertson continuing, said that if the conditions of the present law were insisted on the homesteaders would have their hands full. Their cash would be exhausted, and they would be unable to pay taxes, as was proposed by the amendment to the Land Act. One objection had not been enlarged upon. The appropriation of land every twenty years was simply a tax on industry and development. The more valuable land became the more would be required in the line of taxes. Because the Senate had seen fit to pass the bill was no reason why the House should concur in such action. Mr. Robertson had spoken with one Senator who had voted for the bill, and had found that he was now sorry for doing so.

Rep. Ryeroff agreed with Rep. Robertson in the idea that the action of the Senate should have nothing to do with the House. The House was made up of the representatives of the people, and should act as such. The House had got credit for doing some good for the Hawaiians by passing the Land Act, and now it was proposed to do away with it inside of six months from date of passage of the bill. Mr. Ryeroff supported Rep. Robertson's motion to table the bill.

Rep. Kamaoaba favored an indefinite postponement of the bill, but he

would second Rep. Robertson's motion to adopt the report of the committee. If the bill were laid on the table it could be taken up again for consideration, but if it were indefinitely postponed it would be effectively killed.

Rep. Robertson withdrew his motion to adopt the committee's report and seconded Rep. Kamaoaba's motion for indefinite postponement.

House Bill No 5, relating to dockets and records of district magistrates passed third reading with amendment.

Rep. Robertson moved that the report of the committee on Great Seal be brought up on the order of the day for Thursday. Carried.

From Minister King.

The Minister of the Interior sent in his answers to the questions of Rep. Kamaoaba as follows:

"First question—Is the Government thinking of setting up and bringing in more Chinese and Japanese laborers, and if so it is requested to inform this House as to the number it is intending to bring in?"

"Answer to the first question—The Government has no present intention of introducing Japanese laborers under the provisions of the labor convention between this country and Japan."

"The method of introducing Japanese laborers outside of the said labor convention is as follows: "Parties desiring such laborers apply to the Board of Immigration for approval or allowance of labor contracts for the number of laborers they desire. The Board of Immigration in consultation with the Executive Council decides upon such application."

"It cannot be said therefore that the Government has any definite intention of introducing more Japanese laborers, as such matters are only decided upon application."

"The same procedure is followed in regard to applications for the introduction of Chinese laborers."

"Second question—Are there not a sufficient number of laborers in the country at the present time for the work of sugar and rice plantations and other enterprises, without the Government procuring any more laborers? It is suitable that the Cabinet should inform this House as to their ideas in relation to this question as to laborers."

"Reply to the second question—The Government is not in possession of information which would enable it to answer this question, nor has it means of acquiring such information which are not in the possession of this House."

"Judging from the experience of the past and the present and prospective development of agricultural enterprises, together with the constant departure of the class of persons for their own countries, it seems probable that future additions to this class of labor will be required."

"J. A. KING,

"Minister of the Interior."

House adjourned at noon.

WHY NOT LIVE A CENTURY?

"In the coming time," said a famous English poet "a man or woman eighty or one hundred years old will be more beautiful than the youth or maiden of twenty, as the ripe fruit is more beautiful and fragrant than the green. These ripe men and women will have no wrinkles on the brow, no grey hair, no bent and feeble bodies. On the contrary they will have perfect hearing, clear eyesight, sound teeth, elastic step, and mental vigor."

Does this sound absurd and impossible? Why should it? People over one hundred years old are frequently met with in these days, as they have been as far as human records go back. A man is of no real value until he is past fifty and has gained control of his passions and acquired some practical wisdom. After that he ought to have fifty to seventy-five working years before him. Who so dies short of one hundred (bar violence) dies of his own folly or that of his ancestors. One chief thing, however, we must learn. What is it? Take an illustration—such as we see multitudes of on every side.

Mr. Richard Leggett of New Bolingbroke, near Boston, Lincolnshire, is now somewhat over seventy. He is a farmer, well-known and highly respected in his district. In the spring of 1891 he had an attack of influenza from which he never fully recuperated. The severe symptoms passed away, of course, but he remained weak. No doubt food would have built him up, provided he could have eaten and digested it. Yet he was unable to eat, his appetite was poor, and what little he ate, as a matter of necessity rather than from relish, seemed to do him wrong with him. Instead of giving him strength it actually produced pain and distress in the sides, chest, and stomach.

Then again—which is a common experience—he would feel a craving for something to eat, yet on sitting down to a meal, in the hope to enjoy it, the stomach would suddenly rebel against the proceeding, and he would turn from the table without having swallowed a mouthful.

Nothing could come of this but increasing weakness and it wasn't long before it was all he could do to maintain strength to walk about. As for working on his farm, that to be sure, was not to be thought of. He had a doctor attending him, as we should expect. If the services of a learned medical man are ever needed, they must be in such a case—when nature seems to be all broken up, and the machinery runs slow, as our family clocks do when we have forgotten to wind them at the usual hour.

Well, Mr. Leggett took the prescribed medicines, but got no better. He asked the doctor why that was and he appeared to be puzzled for an answer at first. Naturally enough a doctor doesn't like to admit that his medicines are doing no good, because he expects to be paid for them, and then there is his professional pride, besides.

However he finally said, "If my medicines fail to make you better it is owing to your age." That idea was plain as a pike-staff, and if the patient had never got any better afterwards, why who could dispute what the doctor said? Nobody, of course. It would look just as though Mr. Leggett were really going to pieces from old age. But a month or so subsequently happened what is a little bit of a story of the case. What it was he tells us in a letter dated February 3d, 1893.

"After doctoring several months without receiving any benefit, I determined to try Mother Siegel's Curative Syrup. I got a bottle from Mr. G. H. Hansen, a chemist, New Bolingbroke. After taking the syrup, for a week I was much better. I had a good appetite, and what I ate digested, and I strengthened me; and by the time I had taken two bottles I was well and strong as ever. You may publish this statement if you think proper. (Signed) Richard Leggett."

So it proved, after all, that Mr. Leggett was not suffering from old age (at seventy) but from indigestion and dyspepsia. When Mother Siegel's great discovery reached him, he felt "well and strong as ever."

Now for the moral: It is not Father Time who mows people down thus early in life; it is the Demon of Dyspepsia. Keep him away, and—barring accidents—you may live a century.

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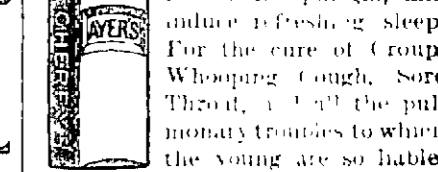
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20,000 CHEMISTS SELL IT.

Those who have not already given it a trial should do so at once.

IN PALACE AND OUTRAGE ALIKE, Powell's Balsam of Aniseed is the old and trusted cough remedy. It is sold throughout the world in the most reliable form.

LOOSENS THE PHLEGM IMMEDIATELY. NIGHT COUGHS QUICKLY RELIEVED. SEE TRADE MARK AS ABOVE ON EACH WRAPPER.

See the words "The name Powell, Blackfriars Road, London," on the Government Stamp.

Refuse Imitations. Established 1824. SQUATTERS AND FARMERS WHEN ORDERING THEIR STORES SHOULD NOT OMIT THIS TIME-HONORED COUGH REMEDY.

FOR A COUGH.

POWELL'S BALSAM OF ANISEED.

FOR ASTHMA, INFLUENZA, &c.

SOLD BY CHEMISTS AND STOREKEEPERS THROUGHOUT THE AUSTRALIAN, NEW ZEALAND AND CAPTIVITIES.

Bottles 1s. 6d. and 2s. 6d.

Agents for Honolulu.

Hollister Drug Company, Ltd.

DR. J. COLLIS BROWNE'S

CHLORODYNE.

Hawaiian Gazette.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

W. R. FARRINGTON, EDITOR.

FRIDAY MARCH 13 1896

ANY person who will allow the publication of stories which tend to reflect on the good name of a respectable woman, is an arrant coward and not possessed of the first instincts of a gentleman. To a man of honor, virtue is its own reward.

MEMBERS of the House state that they intend to work havoc in the appropriation bills when they are sent down from the Senate, and even before consideration of the bills is begun there has been an attempt made to increase the salaries of the officers of the House. Economy is a good thing, but that economy is best which begins at home.

JUDGING from the attempted tiff in the Senate yesterday and previous events of a similar nature, it would seem that the upper house possesses some wonderfully touchy members. The men who put chips on their shoulders when criticism is turned in their direction, are liable to be in hot water most of the time if they enter the political arena.

IF THE American House of Representatives has its way, Ambassador Bayard will discover that it is not his business as an American representative to point out what a miserably poor country he is living in. A man who criticises economic measures when at home is to be respected, but when in a foreign country, he goes out of his way to cry down the national policy, public censure and consignment to oblivion is slight punishment indeed.

WHILE we are not disposed to criticise the honesty of purpose with which President Wilder selected the members of the special committee on the opium license bill, it is a notable fact that those who have, in the Senate chamber, been outspoken against the bill are not represented. The personnel of the committee shows two hearty advocates of the measure to be considered, three who have not put themselves on record, and none who have announced their opposition.

THE PROPOSED HOTEL.

The news that the first class, modern hotel that has so long been on the list of "long-felt wants" is to be a tangible realization of the near future will be glad tidings to many people of this country interested in increasing the tourist travel. And the number interested, directly or indirectly, in tourist travel takes in about all the population of the islands. In the mind of the traveling public the hotel accommodations constitute one of the all-important items in making an itinerary. Unfortunately the Hawaiian Islands cannot boast of having a reputation for the highest grade of hotels. Why this state of affairs exists we will not attempt to say, but it is nevertheless a fact, and, when in the face of an ardent advocate of the Hawaiian Islands as a winter resort, there is thrust a searching question as to our accommodations, the poor man usually throws up his hands. One reason for present defects may be in the failure of the merchants to co-operate as they intend to do under the new scheme that is soon to be launched. Such a combination as the one proposed ought to assure success and it is not exaggerating the feelings of mankind for excellence in the surroundings of their homes, to say that an hostelry, up-to-date in all its appointments, will bring as much transient trade to the islands as an occasional outbreak of the volcano. Science and climatic surroundings count for a good deal, but how many resorts are there that attract crowds of people simply by the high class

hotels. Cable or no cable, volcano or no volcano, give Honolulu the modern hotel and we will get the tourists.

MAKE THE FIGURES PUBLIC.

The next question Senator McCandless should put to the Minister of Finance is, Why should the books of the tax office be closed to the public? It is indeed a most extraordinary situation in which the people are placed. A measure has been introduced to bring about a more equitable apportionment of the taxes of the country, and at the very outset the public is practically refused figures which will be of no little assistance to individuals in forming opinions. True, these figures have been offered the representatives of the people for inspection, but the tax bill now before the Legislature is a measure in which every man who owns or ever expects to own a dollar's worth of property in this country, is directly interested, and there ought not to be one single item on the books of the tax office that should not be published in every paper in the land if such a request were made. The people have full confidence in their representatives, but if there is one question on earth in which they are interested, and very properly so, it is in the methods of taxation and the detail of the present situation.

The Minister of Finance is advancing a most excellent measure in advocating a revision of taxes, but he has made a grievous error in giving the impression that the items of the tax list are not open to the public. It is on just such soil as this that seeds of unwarranted distrust thrive. And, furthermore, the people of this country cannot form an adequate idea of the best line of action if they are barred from the figures which alone can clinch their conclusions and prove the soundness of the position the Executive has taken in its recommendation. Let the public have the figures if the request is made.

CUBANS RECOGNIZED.

These are bright days for the patriots of Cuba if the general policy of the United States, as indicated by late dispatches, is carried out. No action on the part of the great American Republic, except actual participation in hostilities, could do no more to inspire zeal among the Cubans and a determination to press forward to complete success and absolute freedom from the oppressive hand of monarchy. The resolution passed by the United States Senate is practically a declaration of moral support; an assertion by Congress, of what the people have already given widespread expression, that the sympathies of the United States are with the men who are fighting for liberty. The vote by which the resolution was passed was remarkable. While it was anticipated that belligerent rights would, sooner or later, be granted, there has been nothing to indicate that the political parties of the country would join hands to such an extent as to make the expression practically unanimous.

Aside from the endorsement of Republican principles, the action of Congress is simply treating Spain to a little of its own medicine. It was Spain that first recognized the Confederacy, hardly waiting until the echoes of the guns of Fort Sumter had died away. The recognition of the Confederacy was distinctly an unfriendly act, and, on the part of England and France, as well as Spain, was simply a strategic move to reap the benefit derived from the possible dismemberment of the Union.

What action Spain will take in this affair is still a matter of conjecture. With the many thousands required to fight the Cubans, it is not probable that it will make any forcible demonstration of its disapproval. The most that can be done is to make the surroundings in Cuba, for United States citizens particularly warm, and judging from General Weyler's past record, there will not be any short-

comings on this point. The United States has improved its opportunity to announce that it is with the separatists and is in a position to assume all responsibility that may accompany such an assertion. The action of the Senate will be applauded throughout the United States and in every country where the principles of republican freedom are established.

PUBLICITY ACCOMPANIES REPUBLICANISM.

Further queries put by "Inquirer," which appear in another column, seem to indicate that he does not draw a distinction between a republic and a form of government conducted on the principles of a close corporation. In the first place, he should remember that in a true republic there should be nothing, outside occasional dealings with foreign powers, that is not open to public inspection, either through the medium of the Legislature, the newspapers, or the individual who may take sufficient interest in the affairs of the country to make a personal investigation.

The books of the tax office contain a statement of the values of the real estate and personal property owned by every person or corporation in the country, and it is safe to say that the tax books in this country do not contain a more detailed statement of the private affairs of our property owners than do those of any town, county or state in the United States. In many cities and states of the larger republic which Hawaii is endeavoring to copy, the amount of taxes paid by each person and corporation is required to be published in at least one newspaper each year. By this means the people know who is bearing the burden of taxation and they can also form an idea whether the weight of that burden is properly divided. We admit that "considerable information can be obtained from the tax books," but unless the figures that stand on the books are such that the interested individuals are ashamed of them, we can see no reason why anyone should object to their publicity or how they could be used to the disadvantage of any one.

If we are to have a true form of republicanism—a government of, by and for the people—there is absolutely nothing on the tax-books or any other books relating to our internal affairs that should not be free to a public inspection, as extensive and detailed as any person or persons may see fit to make. It is just as "absolutely necessary" that the people should "know everything," if they want to take the trouble to go over the figures, as it is for "certain Government officials to have that knowledge." If the legislators of this Government decide that it does not necessarily follow "that the general public has the same right, concise knowledge of business affairs of an individual or corporation" as Government officials, in so doing they show that they are losing sight of the foundation principles of a republic, and that they are attempting to conduct their government on principles not unlike a close corporation. To pursue such a policy is to jeopardize public trust, and thereby, as time goes on, lose the strongest vertebra in the backbone of the Republic.

TAXES NOT PRIVATE AFFAIRS.

A correspondent signing himself "Inquirer" writes to know if, in our remarks upon the publication of tax office figures, we "contend for the exposing of people's private business affairs to the free examination of the general public." He further adds that, "Tax books are, by law, open to the inspection of the public, but not in the sense that any man may use them for the purpose of ferreting out all the ins and outs of his neighbor's private affairs."

In the first place it is proper to state that there was some misunderstanding concerning the position taken by the Minister of Finance, and that he made known his

readiness to make public the figures referred to, if the Senate called for them. As to our contention for "exposing private affairs," we wish it understood that the position taken is, that not one single item on the books of the tax office can be regarded as a private affair to be kept strictly within the confines of the office, or that information can be refused concerning any detail of the tax and by whom paid. There is nothing in the tax office that can properly be classed as private.

Just at the present time the general impression abroad in the land is that the corporations are reaping all the gold from the soil and not bearing their proportional share of the financial burdens of the Government. The Minister of Finance, in his annual report, has given totals which tend decidedly to support this supposition. It may well be taken for granted that the corporations are what the people are after at just this present time. Now the various solutions of this problem of equalization of taxes are as multitudinous as is possible. The Minister of Finance wants to have the time of assessment changed; others believe the sugar corporations should be taxed on the total output of their product for the preceding year; still others hold that the plantations should be taxed for the full amount represented by the capital stock; and finally there are ardent advocates of the income tax.

To come to anything near a correct conclusion in considering this question, there must be an unreserved display of tax returns in detail, and it is just as important for the public to know these figures as it is for the special committee of the Senate. The principal objection offered to Senator McCandless' questions was that he singled out a class to be paraded before the public. It so happened that Senator McCandless wanted to know about the corporations. If there are others who want to know about some other branch of taxpayers, let them ask; but, under no circumstances should information for either party be withheld or kept within the confines of the committee. As the matter stands now, the Senate alone will be obliged to take the responsibility of keeping detailed comparative figures from the general public.

PORTUGUESE LEASE RENEWALS.

The Portuguese colony is putting itself in evidence to quite an extent of late and not without reason. The Portuguese, as a class, are sober and industrious, satisfied with a fair return for unstinted labor, and, as a rule, quiet so long as they are given an opportunity to work for reasonable remuneration. Many a barren spot in and about Honolulu has been transformed into fertile and valuable land by labor of these people. One of the principal matters over which the Honolulu colony is at present considerably agitated is the action of a landholder, by which many Portuguese residents are practically paying a penalty for their industry in improving such small plots as they have been able to lease in the vicinity of Punchbowl.

While the people of the colony have not, at all times, proven themselves to be particularly sharp in the business transactions in connection with obtaining rentals, it is apparent that they have been subjected to an injustice which might well attract the attention of the Government. A large portion of the land in question is held by Kapiolani, under a lease from the Government. The land has been let out in small lots to Portuguese families, who have built their cottages, started the usual thrifty garden patch and thereby enhanced the value of the property. Having thus become well established in their homes, they resent the large increase of rental demanded when they apply for renewal of their leases.

Records obtained by a recent canvass of those who have requested renewals, show an increase from \$15 to \$25, and from \$25 to \$40 in

the yearly rental demanded. Besides this parties leasing the plots are obliged to pay to the landlord a tax amounting to from \$3 to \$3.50. This last is over and above the direct tax paid to the Government. Thus it will be noted that at the expiration of five and ten year leases, the rental has been increased 60 per cent. and in many cases a still larger proportion. The injustice of the system is altogether too glaring not to attract comment, particularly as the land is practically the property of the Government, owing to the conditions under which the original lease is held. The matter should not only attract comment, but it should receive a thorough investigation, at the hands of either the Executive or Legislature, or both, by the Government. There is really no cause for the exaction of such increased rentals, and, should such a policy be continued, it would, to all intents and purposes, put an end to the home-building efforts of the Portuguese colony.

AMERICAN OPINION FORECAST.

"If what I hear is true, the next Hawaiian Legislature will do exactly what they found fault with the Queen for doing, and for which they dethroned her, that is licensing the sale of opium." [John D. Spreckels in San Francisco Examiner]

PUBLICITY OF TAXES.

Inquirer Again Gives His Views on the Subject.

MR. EDITOR:—It would seem to be a fair deduction from your editorial on the inspection of tax books, in this morning's paper, that, although a man may not go to a business office to get information concerning its private affairs, he may go to the assessor's books and get the same information without let or hindrance.

Now, it may be true, that not as much of detail can be obtained from the tax books as might be obtained from the accounts of a business office; still, a considerable amount of information can be got from the tax books.

It is undoubtedly true that men sometimes inspect those books for the purpose of getting information concerning other people's affairs, but my experience has been, that assessors, in some cases at least, have intimated that an inspection of the books for such a purpose was not permissible, and have appeared to wish to trust to a man's honor not to do so. It is natural that men should want to know all about their neighbor's (or rival's) business, and it is patent that many do learn a great deal. It is well perhaps that their should be a limited degree of general knowledge in such matters.

As to certain Government officials, it is absolutely necessary that they should know everything, but does it necessarily follow that the general public has a right to the same concise knowledge of the business affairs of an individual or corporation? I think not.

Honolulu, March 12, 1896.

Probate Matters.

Heien Kamaioipili and Malie Naylor have filed answer to suit in equity—Kekealani et al. vs. Kaili et al.

The appeal of Lou Pio et al., defendants in suit brought by Ton Tai Wai Co., has been allowed by Judge Carter and a bond of \$100, with Dorothy Lamb as surety, has been filed.

S. M. Ballou, attorney for plaintiff in suit of Emmeluth vs. Cook, will argue for new trial on the 14th.

J. G. Henrique has filed notice of appeal from decree dismissing plaintiff's bill filed March 11th to Supreme Court.

W. R. Castle has notified opposite counsel that he will move the court to try the Kahanantui vs. Ashford case on the 16th inst.

A canvass among the druggists of this place reveals the fact that Chamberlain's are the most popular proprietary medicines sold. Chamberlain's Cough Remedy, especially, is regarded as in the lead of all throat trouble remedies, and as such, is freely prescribed by physicians. As a group medicine, it is also unequalled, and most families with young children keep a bottle always handy for instant use. The editor of the Graphic has repeatedly known Chamberlain's Cough Remedy to do the work after all other medicines had failed.—The Kimball S. D. Graphic. For sale at 25 and 50 cents per bottle by all druggists and dealers. BENSON, SMITH & Co., Agents for H. I.



Mr. J. H. Murphy

Beyond Expectation

Grand Results from Taking Hood's Sarsaparilla

Broken Down System Thoroughly Built Up.

"C. L. Hood & Co., Lowell, Mass." "Gentlemen:—I take great pleasure in advising you of my cure by Hood's Sarsaparilla and gladly recommend it to all suffering as I have been. My system became thoroughly deranged and life seemed little else but a burden. I was very bilious and my kidneys and liver were out of order. I had no appetite and seldom ate any breakfast. I had taken tonics and had been treated by different physicians but with little or no success, and had become quite disheartened, fearing my case was

Beyond Human Aid.

Through a friend's advice, as a last resort I invested in two bottles of Hood's Sarsaparilla and was so well pleased at my improvement I soon

Hood's Sarsaparilla Cures afterwards secured four additional bottles and am now feeling as well as I ever did." J. H. Murphy, Hegewisch, Illinois.

Hood's Pills cure Constipation by restoring the peristaltic action of the alimentary canal.

HOBBON DRUG COMPANY, Wholesale Agents.

BY AUTHORITY.

The following named gentlemen have this day been appointed Commissioners of Fences for the District of Ewa and Waianae, Island of Oahu.

A. AHRENS,
JAMES T. CAMPBELL,
JOHN KAHOA.

J. A. KING,
Minister of the Interior.
Interior Office, March 3, 1896.
1739-3t

MR. D. M. KAPALAU has this day been appointed a member of the Board for the Taxation District of Koolau, Island of Oahu, vice J. K. Kealo, deceased.

The Board now consists of:

F. Pahia, Chairman;
E. P. Aikue;
D. M. Kapalau.

J. A. KING,
Minister of the Interior.
Interior Office, March 2, 1896.
1739-3t

MR. D. M. KAPALAU has this day been appointed a member of the Board of Fence Commissioners for the District of Koolau, Island of Oahu, vice J. K. Kealo, deceased.

The Board now consists of:

H. C. Adams,
Wm. Henry,
D. M. Kapalau.

J. A. KING,
Minister of the Interior.
Interior Office, March 24, 1896.
1739-3t

SALE OF PUBLIC LANDS.

On SATURDAY, March 21st, at 12 o'clock noon, at front entrance of Judiciary Building, Honolulu, will be sold the following pieces of land:

1—Lot in Waianae, Oahu, containing 6 1-10 of an acre. Upset price, \$610.

2—Lot in Waianae, Oahu, containing 44-100 of an acre. Upset price, \$100.

3—Lot at seashore, Waianae, Oahu, at mouth of the river, containing 4 acres. Upset price, \$100.

The sale of Lot 3 is upon condition that purchaser will within one year from date of purchase, erect upon the land a building suitable for purpose of small hotel, to accommodate not less than twelve persons.

Plans showing above lands for sale may be seen at the Public Lands Office, Judiciary Building, where further particulars may be obtained.

J. F. BROWN,
Agent of Public Lands.
1735-1m

SALE OF PUBLIC LANDS.

Notice is hereby given that on SATURDAY, March 21, 1896, at 12 o'clock Noon, at front entrance of Judiciary Building, Honolulu, will be sold the following pieces of land:

Lot 1. Land at Kailhi, District of Kona, Oahu, being a portion of land of Kahauliki, makai of the Government road to Ewa, containing 4 2-10 acres. Upset price, \$2000.

Lot 2. Land in Maalo, District of Kaupo, Maui, containing 2 49-100 acres. Upset price, \$25.

Terms: Cash in U. S. Gold Coin.

Plans showing above lands for sale may be seen at Public Lands Office, Judiciary Building, where further particulars may also be obtained.

J. F. BROWN,
Agent of Public Lands.
1737-6t

GIVEN PARTING SHOTS.

Appropriation Bill Finally Passes
the Senate

OBJECT TO IMPORTING APPRAISER

Report of Committee on Government
Electric Lights—A Representative
Wants to Raise Officers' Salary
Senator Holstein of Hawaii Seated.

Sixteenth Day.

THURSDAY, March 12.

The principal points of interest in the two hours' session of the Senate included the reception of Mr. Holstein of Hawaii into the fold and a lively tiff over the appropriation bill for pay rolls and salaries.

Senators Schmidt and Wilcox were the only absentees when the roll was called.

Senator Lyman presented the credentials of Senator-elect Holstein, which, on motion of Senator Brown, were referred to the Judiciary Committee. This committee immediately retired for consultation.

Minister Damon reported that Dr. Rodgers was not drawing salaries from two positions during the time for which he requests back pay as Secretary of the Labor Commission.

Electric Light Station.

Senator Horner presented the following report on the appropriation for maintaining the electric light station:

"Your Miscellaneous Committee, to which was referred the item of running expenses of the Government electric lights in the Appropriation Bill, have not had time, and have not thought it best to take time, to search thoroughly and systematically into the matter as they would wish to do in view of its importance, on account of the delay it would cause to the passage of the Appropriation Bill. Any change in the present system would be a very important matter, and would take a considerable amount of time in committee for gaining all information desired and for discussion. The item in question being the only item in the Appropriation Bill under discussion, your committee have thought best not to make any considerable delay.

"The matter has had earnest consideration, and the following facts are taken from documents furnished by the Minister of the Interior. Without burdening the members of the Senate with all of the details which have come to our attention, the results of the investigation are presented.

"The proposed system of lighting the streets and the Government departments in the various parts of the city by the Hawaiian Electric Company would cost considerably over \$200 per month more than the present system, and would take the water power in Nuuanu valley from the control of the Government. Your committee feels that whatever may be the advantages claimed for the proposed system, the Government is not in a condition at present to increase the appropriation.

"There is appended to this report a copy of the communication just received from the Superintendent of Public Works, which states that should the Government in the future wish to turn over to the Hawaiian Electric Company the supply of power for the incandescent lights now used, there is sufficient water power to furnish a much larger number of street lights, which the Superintendent of Public Works thinks are much needed. The cost of the street lights takes much the larger part of the appropriation, and at some additional expense this plan might be adopted in the future without giving up the control of the present plant and water supply.

"Section 14 of the Session Laws of 1892 has the following paragraph: 'The Minister of the Interior is hereby prohibited from alienating in any manner the ownership and control of the Government over the Government water supply or power produced therefrom, or the Government electric light plant.'

"In view of the necessity of amending the laws, if any change be made, your committee have felt that it would not be wise to undertake any thing of the kind at this session, and therefore we would recommend that the item pass at the original amount of \$13,200."

Superintendent Rowell's letter reads as follows: "In order to make clear one point which was not sufficiently brought out in my report on the Electric Light system, I will say:

"If the Government should abandon the incandescent light system and apply the whole water power available to lighting the streets, it will be practicable to run 200 arc lights, or about double the present number.

"Even in case of a dry season, the water which it is possible to store during the moonlight nights would probably enable us to keep up the full number of lights during dark nights.

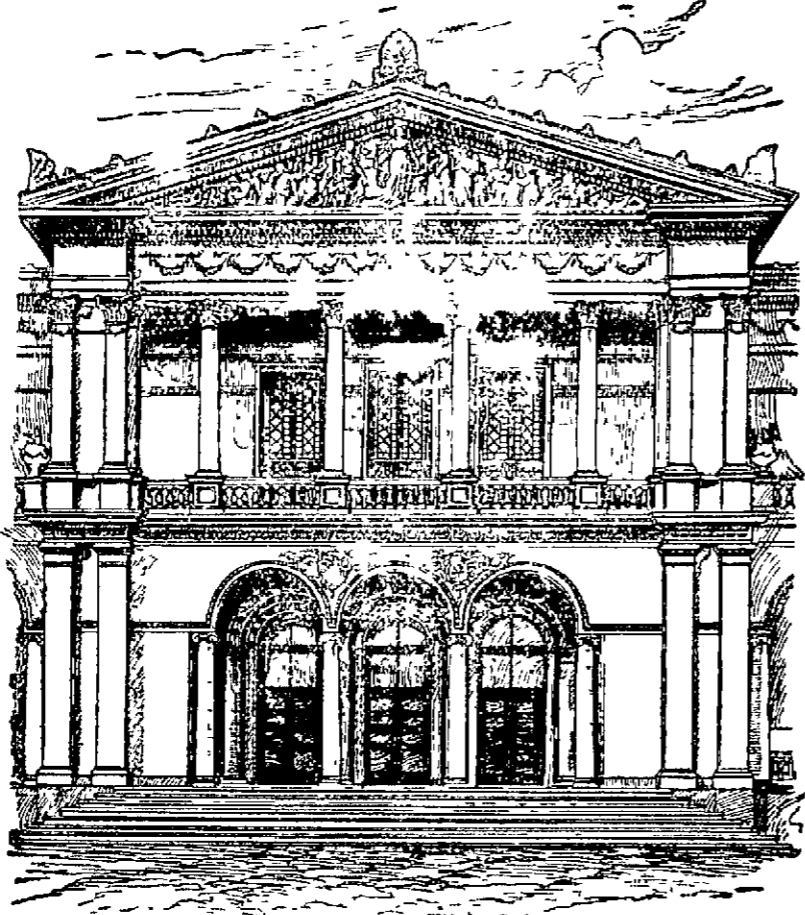
"To make this change it would be necessary to provide each department with means to pay for its own lights, and also to provide the cost of lamps, wires and poles for as many additional lights as should be decided on at the rate of \$125 per light. Seventy-five additional lights would require an appropriation of \$9400. The running expenses would be covered by the present appropriation."

Senator Holstein Seated.

At this point the Judiciary Committee reported favorably on Mr. Holstein's credentials. The report was accepted and a recess taken while the committee waited upon the Chief Justice who arrived shortly and administered the oath of office. This ceremony being completed the business of the day proceeded in the regular routine.

The committee on Passed Bills reported that House bill No. 3, relating to laundries and wash houses had passed both houses and been sent to the President. Minister King reported that it had been signed.

The Woman's Era.



Within Her Sphere She Reigns Supreme.

Woman claims her own. Her field widens constantly.

Every day brightens her prospects. Her progress foreshadows the greater triumph at hand. Emancipation and equality will be hers in the years to come.

Prophetic of final victory were her achievements at the World's Fair. At her shrine there erected the nations bowed.

The lesson taught at the "Woman's Building" will last "till time shall be no more." Their enlightening influence will be felt around the globe throughout the dawning century.

Only less memorable were the honors gained at the Fair by

Dr. Price's Cream Baking Powder

The highest award conferred on this peerless preparation, is a fitting accompaniment of the laurels won by the women of America.

LEWIS & CO., AGENTS. HONOLULU, H. I.

Senator Brown's bill on Chinese Immigration was referred to the committee on Commerce.

The discussion then turned to the report of the Miscellaneous Committee. Senator McCandless asked for a more detailed statement from the superintendent of public works. In answer to this query a portion of the report now in the printer's hands was read. Senator Baldwin said he had understood from Mr. Irwin that the Hawaiian Electric Company could furnish as good service at a cheaper rate. He asked for a delay of a few days in the consideration of the item. Minister Smith referred to laws already on the statute books, calling attention to the fact that in order to accept the proposition of the company, a special act to that effect should be brought in. He suggested that the report of the committee be accepted and that the matter be brought up in a different form later.

Senator Brown agreed with the Minister, but believed that the Government should investigate the matter very thoroughly and see what the Electric Company would do. After considerable rambling discussion, the item in the Appropriation Bill passed at \$13,200.

Appraisers' Department.

Just at this point a very interesting episode occurred. The consideration of Appropriation Bill having, presumably, been completed, it was moved that the measure pass the third reading. The roll was called and the bill passed, Senators Hooking and Holstein being the only ones to vote against the bill. The vote had hardly been declared when Senator Hooking announced that he wanted to discuss the item of \$5400 for general appraisers, and asked that the bill be reconsidered. Senator Brown, evidently remembering that he had forgotten something, said "Oh, yes; I move to reconsider." On the reconsideration, Senator Hooking moved that the item be reduced to \$4000. He had understood that this appropriation of \$5400 was asked in order to bring an expert from Washington, or give "some dear brother from the United States a job." The Senator from Maui didn't believe in sending out of the country for men. There was just as good material in Hawaii as in Washington.

Senator Brown was even more radical, and moved that the item be stricken from the bill. He didn't believe men could be imported who could do as good work as the men already here. The men in the States were specialists and were no more able to properly appraise the goods coming into Hawaiian ports than the men in the moon. He thought \$6000 was enough for the appraiser's department. Senator Hooking, finding such radical support, accepted the amendment to strike out the item.

Minister Damon said the Customs Bureau supplied more than one-third the revenue of the Republic, and the increased expenditure in the appraiser's office had already been more than paid for by the increased revenue obtained from merchants who had previously evaded the customs law. Past experience had proved that an increased expenditure would be a paying investment.

Minister Smith remarked that the honest merchants had previously been at a disadvantage on account of the action of others who systematically and assiduously evaded the customs laws. This new officer was to be appointed simply to make every merchant whose goods come through customs pay the tariff tax levied by law.

Senator Brown said that the idea was all right, but he believed that there was sufficient money laid out in the appraiser's office already. There was no use in having any one else, and, furthermore, the extra appraiser ought not to be obtained outside the country.

Minister Damon then made a short speech, but a decidedly effective one. He called the attention of the Senate to the fact that this new officer was simply an item in following out the progressive policy of the Republic. If the people and the Government had followed out the principle suggested by Senator Brown the Republic would never have been in existence; the present officials would never have been in power; the country would have stood still, which is only another way of going backward. The Government had taken upon themselves to go ahead, and they were bound to go ahead in every way possible.

Senator Waterhouse supported Minister Damon and remarked instances of the customs being evaded. In his estimation the appropriation was not large enough for the proper protection of the merchants of the country.

Senator Brown then told of what he knew of opinions held by importers. Senator Baldwin said he had learned more of the appraiser's business in the last five minutes than he had ever known before. He had not been talking with importers, but believed the appropriation a very necessary one.

Senator Brown took offense at Senator Baldwin's reference to talking with importers. He got very much excited, and said he wanted to protest against the "insult" of the Senator. Senator Baldwin calmly stated that he had insulted no one. He waited till Senator Brown got through talking, and then went on without paying any more attention to his excited remarks.

Senator Hooking began to see the error of Mr. Brown's motion to strike the item out, and asked that the increase of expenditure in the Appraiser's office be made gradually. He thought the slight increase implied in his motion to pass the item of \$4000 would be a good thing.

Minister Damon again remarked that the question of making this new office had received the closest attention of the Executive, and figures showed beyond the question of a doubt that the increased expenditure was a proper one.

Senator Brown then explained that his opposition had sprouted from the statement made by the Minister of Finance that a man was to be imported from Washington to fill the position of chief of the appraiser's department. He wasn't very much opposed to the system.

Minister Smith called Mr. Brown's attention to the fact that in making a point on who should occupy the position the legislative branch was stepping

beyond its sphere, and if his idea were carried out the executive and legislative branches of the Government would immediately clash. This was a point on which the Senator had previously expressed himself very strongly.

After more discussion on the personal feature of the remarks that had already passed, Senator Brown's motion was put to vote and lost.

Senator H. King again moved that the item be reduced to \$4000. This motion was lost and the question again turned to the passage of the bill. The bill passed the third reading by a unanimous vote.

Adjourned.

House of Representatives

Minister Cooper said that he had collected information from the different departments in regard to the questions of Rep. Kamaooha, which he had answered in so far as his department was concerned on the previous day. He asked that he be allowed to withdraw his answers in order to present a full report on Friday. Granted.

A communication from the Senate notified the House that House Bill No. 1, relating to the matter of granting to the Minister of the Interior power to make a certain class of leases, passed its third reading and amended.

Rep. Richards reported presented to the President for signature House Bill No. 7, relating to laundries and wash houses.

Auditor-General's Protest Referred.

Rep. Richards also reported for the Finance Committee on the matter of the protest sent in on the previous day by the Auditor-General, saying that, upon talking with the Attorney-General and members of the Senate it had been thought best to refer the matter to a joint committee on Judiciary. A motion was made to that effect.

Rep. Kamaooha said that he had no objection to such disposition being made of the Auditor-General's communication, but since the matter had been considered on the previous day he saw no reason why it should not have been disposed of already. The Finance Committee of the House were the auditors. The matter should have been laid on the table.

Rep. Richards remarked that he was of the same opinion as the former speaker, but the Attorney-General seemed to think that things were not quite clear and that referring the protest to a joint committee would clear all doubtful points in the mind of the Auditor-General.

Report on Market Petition.

Rep. Robertson presented the following report of the Judiciary Committee on the market petition.

"Your Judiciary Committee to whom was referred a petition praying that the rent of stalls at the Honolulu fishmarket be reduced and that the sale of fish, etc., at places other than said market be prohibited, beg leave to report as follows:

"The authority to fix the rentals of stalls at the market is by law conferred on the Minister of the Interior who has fixed the rental of stalls at the new market at figures but little higher than were formerly asked for stalls at the old market.

"That the authority to make regulations in regard to the sale of fish is by law conferred upon the Board of Health and unless the law relating to these matters is changed or proposed to be changed, there will be nothing upon which this House can take definite action, we therefore recommend that the petition be laid on the table to be considered with any bill that may be introduced relating to it."

Report of the committee laid on the table to be considered with the petition.

Resolution to Raise Salaries.

Rep. Hualalai presented a resolution in which he asked that the interpreter of the House and the Clerk be paid each \$10 and the sergeant at arms \$5.

Following the introduction of this resolution there was a long discussion on the propriety of raising salaries.

Rep. Kamaooha supported the resolution.

Rep. Richards did not think salaries should be raised at this time. Not much work was being done in the House and until that time the salaries should be allowed to stand.

Rep. Kamaooha, in answer to the argument that the Senate had fixed the salaries of their men, said that there was no reason why the House should follow blindly; but, in his opinion, the House officers deserved as much as those of the Senate, since they did as much work, and some times more.

Rep. Richardson moved that the resolution be laid on the table.

Rep. Winston was in favor of delaying consideration of the matter until Friday.

Rep. Richards informed the House that they were going to "whack" into the appropriation bill when it came up for consideration. He did not think that they could do it with good grace if they began by raising salaries now.

Upon putting the question, all the natives voted for and all the others against, resulting in a vote of 7 to 6 in favor of Rep. Richards' motion to lay on the table.

In order to settle the matter, Rep. Bond introduced a resolution to the effect that the salaries be allowed to remain as they were during the last session.

Rep. Robertson thought that such was the proper course. What was done last year was only for that time. It had been the custom to introduce a resolution relating to salaries at the beginning of each session.

Rep. Kamaooha moved to amend the resolution, giving the interpreter \$10, the clerk \$8, and the sergeant-at-arms \$4. Carried.

Rep. Rycroft announced to the House that the Senate Committee on Public Lands intended making a trip of inspection to the Pallo road during the afternoon. The House Committee had been asked to join them.

Rep. Robertson read his bill entitled "An Act to better define the powers of the Minister of Foreign Affairs in regard to the military force of the Republic." Referred to the Printing Committee.

President Signs Laundrys Bill.

Minister King reported to the House that the President had signed the Act relating to laundries and wash houses.

The Great Seal of Hawaii!

The report of the Committee on Great Seal was brought up on the order of the day.

Rep. Robertson explained for the committee that no further written report had been made, since there had been no change in the description of the seal. The letters had been altered to a certain extent. The "V" had been made more like the common letter, the "A" was shaped differently and there had been an alteration in one of the "A's." The new design was differently shaded by the pen of the designer. Rep. Robertson moved that the resolution be amended by inserting a copy of the revised design of the original seal.

Recommendations of the committee adopted as amended.

Rep. Winston Wants to Know.

Rep. Winston propounded the following question to the Minister of the Interior:

"Will you please state whether it is the intention of the Government to compel all retail butchers of Honolulu to remove to the new fishmarket on the expiration of their present licenses?"

Senate bill No. 6 passed first reading by title and referred to Committee on Public Lands.

House bill No. 1 giving power to the Minister of Interior to make a certain class of leases referred to joint Committee on Public Lands.

House bill No. 6 to extend certain streets in Honolulu read by title.

Rep. Robertson moved that same be referred to a select committee of three to be chosen from the Honolulu members of the House.

Rep. Rycroft was of the opinion that there should be one member from the outside districts on the committee.

Rep. Kamaooha moved that the committee consist of two members from Honolulu together with Rep. Rycroft. Carried.

Speaker Naone announced the following select committee: Reps. Robertson, Winston and Rycroft.

Rep. Kamaooha asked for a few days leave of absence. Granted.

House adjourned at 11:30 a. m.

Commander R. J. Green, Adjutant L. L. La Pierre, Quartermaster W. L. Eaton, Officer of the Day W. L. Williams, Senior Vice Commander L. Addler, Comrades James Dodd and C. Conklin.

Meets the third Tuesday of each month in their hall over Wickham's store.

LOCAL BREVITIES.

Sugar 12c.

George H. Fitchchild is down from Kauai.

Hopp & Co. call attention to some new furniture.

Mr. F. S. Dodge has been appointed Commissioner of Land, vice Lorin A. Thurston resigned.

The rush for goods at Ker. Scott's—The fact that Mr. Ker gives a coupon which entitles to purchase of goods to a certain value and shows enterprise that is bringing forth excellent results.

Captain Ernest Renken of the Mounted Patrol has trained the horses so they will be down and permit firing over them. This has been accomplished by careful and earnest work by Captain Renken and the men under him in the patrol.

The Kinau and Lehua both brought news yesterday that while passing Kipahulu, Maui, on the return trip, flames as if from burning cane fields were very distinctly visible. It was the impression of those who saw the fire from the decks of the Lehua that it had been raging for at least twelve hours.

All last winter Mr. Geo. A. Mills, of Lebanon, Conn., was badly afflicted with rheumatism. At times it was so severe that he could not stand up straight, but was drawn over on one side. "I tried different remedies without receiving relief," he says, "until about six months ago I bought a bottle of Chamberlain's Pain Balm. After using it for three days my rheumatism was gone and has not returned since. For sale by all druggists and dealers. BENSON, SMITH & CO., Agents for H. I."

SOC. SONS OF VETERANS

Installation of Officers Last Night.

GEORGE F. WILTZE CAMP No. 4.

Organized on Lines Similar to G. A. R. Sons of Veterans in Civil War. Charitable Organization—Will Grow Rapidly—Captain McGrew Leads.

The George F. Wiltze Camp, No. 4, of the Sons of Veterans of the U. S. A. was organized a few weeks ago, and the officers of the camp were installed last night at the hall over Wichman's store.

The society of the Sons of Veterans was organized sixteen years ago and has now upwards of 100,000 members in thirty organized divisions in the United States.

The objects of the society are similar in every way to those of the G. A. R., and in many ways the two bodies will work in harmony. In this connection it may be said that they bear the same

FILTERS.

The report of the executive officer of the Board of Health relative to the condition of the Nuuanu reservoirs is suggestive of something dangerous to health. It also suggests filters, good filters, something that will effectually separate the water from mud and filth.

Nature has done much toward providing the people with necessities; it has also done a little toward securing for the people, luxuries. In some localities a filter is a luxury, in others, Honolulu for instance, it is a necessity, but the natural filters that are sold have been much improved by the ingenuity of man.

Charcoal is admitted to be the most thorough purifying agent known, consequently Messrs. Slack & Brownlow selected it for use in the manufacture of their filters. And we are the agents for this particular brand of filter in Honolulu, a sufficient guarantee, by the way, of the character of the article.

The latest invoices show three different styles of the S. & B. Filters and these we have in stock, just opened them, in fact, and we want your attention.

No. 1, (we will call it No. 1) is fitted with a movable plate, so that when necessary, the carbon may be taken out and washed. It has also a movable lining allowing access to every part of the interior, which may be kept perfectly sweet and clean.

No. 2 and 3 are provided with the same conveniences for cleaning as the other, but they have the important addition that every part, including the pure water chamber, is accessible, giving them all the requirements of a "Perfect Filter."

The price of the S. & B. filter is below the others. You should have one because it is a necessity.

PACIFIC HARDWARE CO.



IN-SIGNIA.

RECOGNITION OF CUBANS

Urgents Granted Belligerents Rights by United States

NEWS BUDGET BY THE MIOWERA

Lord Dunraven Jilted by New York Yacht Club—Enthusiasm Over Action of Congress on Cuban Affairs—Possible Naval Appropriations, etc.

WASHINGTON, Feb. 28.—The Senate today, by the overwhelming vote of 64 to 6, adopted a concurrent resolution recognizing the Cuban belligerency and independence. The announcement of the result was received with tremendous applause in the galleries.

There was an enthusiastic demonstration in the House when Secretary Cox, of the Senate, shortly before 3 o'clock this afternoon, appeared and announced the passage by the upper branch of Congress of the Cuban recognition bill. The matter did not come up to any further form during the day. After the unexpected opposition of Mr. Boutelle yesterday, the House members decided to postpone taking up the resolution until the Legislative Bill was disposed of.

That President Cleveland has strong sympathy for the Cuban—there is no doubt. It has been said, however, that the President has given a tacit promise to Spain that there will be no interference by this Government until the rainy season has put a stop to active military operations. It is upon this promise that Minister de Lome has based his positive assurance to the Madrid Government that the United States has no intention of interfering.

This promise holds good only until June. It has long been President Cleveland's intention to intervene at that time, unless the rebellion should be crushed in the meantime, and he determined some time ago, when he did take action in the Cuban matter, it would be of a sort likely to lead to results.

WASHINGTON, Feb. 27.—The House Committee on Foreign Affairs, after a warm session of two hours today, adopted a concurrent resolution declaring it to be the sense of Congress that a state war exists in Cuba, and the insurgents should be given the rights of belligerents, and that it is the sense of Congress that the Government of the United States should use its influence to stop the war, if necessary, by intervention, and pledging the support of Congress. The resolutions were greeted with cheers when read, and Mr. Sulzer (Dem., N. Y.), asked for unanimous consent that the resolution be made a special order for Tuesday.

The debate was interrupted by Mr. Hitt, Chairman of the Committee on Foreign Affairs, who presented the Cuban resolutions just adopted by his committee. Their presentation was a signal for a scene of wild enthusiasm several times during the reading the clerk was interrupted with rounds of ringing applause from the floor and galleries, and the reference to armed intervention, if necessary, was greeted with cheers.

On the conclusion of the reading, Mr. Sulzer (Dem., N. Y.), jumped to his feet and asked that in view of the great public interest in the question raised by the resolutions, they be made a special order for Tuesday next. Mr. Meredith (Dem., Va.), suggested that they be passed immediately. The suggestion was approved with more cheers. Mr. Hitt, however, intervened, and said the Committee had instructed him to press the resolutions at the earliest possible moment. Thereupon the excitement subsided, and the debate was resumed on the election cases.

GOINGS ON IN CUBA.

NEW YORK, Feb. 27.—The Spanish authorities have detained Charles Michelson, the correspondent of a New York and San Francisco newspaper, and his assistant, Lorenzo Betancourt, both Americans. They are charged with having disobeyed the orders of the Mayor of Havana in leaving the place and going into the insurgent lines at Punta Brava and Guano de Maricao. The United States Consul-General, Ramon O. Williams, has been notified and the friends of the prisoners are doing everything possible for them.

United States Consul-General Williams has had a prolonged conference with Captain-General Weyler with reference to Messrs. Michelson and Betancourt, the American newspaper correspondents who were arrested today. Up to the present time Mr. Williams' efforts on behalf of the prisoners have been without any result.

It now seems to be definitely established that Antonio Maceo was not killed near Placetas, as was generally believed. A relative of Maceo, who lives in this city, admits, however, that he has heard from good sources that the insurgent leader is wounded in the arm as a result of the engagement at El Tramo.

Among the dead insurgents found in the hills about Cardela was a man evidently a messenger, who had in his pocket a note addressed to Cardela, one of the leaders of the rebels, saying: "Send me some salt." This note was signed "Gomez."

During the difficult engagements about San Juan de los Rios, the rebels were being to the insurgents, were killed or wounded among them being the one killed by the insurgent Colonel Collado.

LONDON COMMENTS.

LONDON, Feb. 29.—The United States Senate yesterday in the Cuban question has aroused comment in the press of this city. An editorial in the Standard says: "The Senate has placed President Cleveland in a highly embarrassing position. It is unlikely that the proud

Spanish nation would yield if America threatened war on behalf of Cuba. It is much to be hoped that President Cleveland will act prudently."

An editorial in the Times on the same subject says: "The resolution is very embarrassing for Spain, who while she cannot but regard the recognition as an unfriendly act, is in no position to resent it. She could gain nothing by declaring war against the United States, who in addition can make out a case, which is at least plausible, that it is merely a tardy and reluctant recognition of palpable facts." The supplementary resolution was avowedly added in deference to those who would gladly provoke a war with Spain. The proposals for the independence of Cuba presented as they probably would be with a directness of speech in which American politicians often indulge, could not fail to prove in the highest degree offensive to a proud and sensitive people. What ever course the President decides to take, this resolution and the inflammatory language in which it was discussed, demand the most serious consideration by Spain. Her position is one of great difficulty and danger; that she may well comprehend the sympathy even of those disapproving the recent history of Cuba.

A despatch from Madrid says that the papers there publish some curious statistics as to the cost of the Cuban war. Nearly 118,000 men have been sent to the island, and the cost of the rebellion has already amounted to 270,000,000.

IMPRISONED THREE HOURS.

Lady Convicted of Manslaughter and Pays Small Penalty.

WASHINGTON, Feb. 25.—Miss Elizabeth Flagler, daughter of Gen. D. W. Flagler, Chief of Ordnance, U. S. A., today pleaded guilty to an indictment of manslaughter for having killed Ernest Green, colored, on the 21st of August last. She claimed that the crime was involuntary. By a secret arrangement between Judge Fox and the lawyers for the government and defense a fine of \$500 and three hours' imprisonment in the District jail was imposed. The sentence was pronounced at a session of the court held half an hour before the usual time.

When the sentence was pronounced General Flagler promptly put his hand in his pocket and paid over the exact amount of the fine. He then drove with his daughter and her aunt in a private carriage to the jail, where the prisoner and her companions sat for three hours in the matron's room, chatting, and then drove away to the Flagler mansion.

OBJECT TO JESUIT.

Don't Want Their Statues Placed Next to Abraham Lincoln's.

PEORIA (ILL.), Feb. 26.—The A. P. A. convention today unanimously adopted the following with three cheers and a tiger: "Whereas the State of Wisconsin has tendered the General Government a statue of the Jesuit priest, Pere Marquette, and whereas the Government has accepted the said statue, and it is the design to place it in the statuary hall together with that of the immortal Lincoln, stricken down by the hand of the Jesuit; therefore be it resolved by the A. P. A. of the State of Illinois, in convention assembled, that we protest against placing that statue among those of American statesmen, and that the State Secretary notify the Illinois Congressmen of this action."

CREATES A SENSATION.

Mattie Overman Testifies Against Mrs. Davidson.

SAN FRANCISCO, Feb. 27.—Miss Mattie Overman, with whom Dr. Brown is said to have been noddingly intimate, was placed upon the witness stand at the evening session. Miss Overman created a sensation by admitting that she had entered into a plot with Mrs. Davidson to blackmail Dr. Brown. She said she was induced to take the step by Mrs. Davidson, who told her the money she could obtain in that way would enable her to finish her studies in which she was engaged.

MUTINY IN CHINA.

Trouble Among Anhui Troops—Two Hundred Killed.

LONDON, Feb. 25.—The Times will tomorrow publish a dispatch from Shanghai saying that the Anhui troops at Kiang Yin, ninety five miles from Shanghai, mutinied recently. The magazine was blown up. Two hundred persons were killed and wounded. The troops killed a captain and imprisoned a general, who is now awaiting death. The foreign instructors at Kiang Yin are safely protected by Hunan troops.

The Armenian Atrocities.

LONDON, Feb. 27.—The Anglo-American Association has received a telegram from Constantinople which says that 3000 Armenians have been massacred at Arabkir and that the widows and orphans of those killed are in terrible distress from cold and hunger. The dispatch also says that the Armenians of Silvas and Cesarea are in daily fear of massacre. Forced conversions to Islamism are general throughout the Asiatic provinces.

Dunraven Expelled.

LONDON, Feb. 28.—Lord Dunraven presided at the annual meeting of the Yacht Racing Association this afternoon and was cordially received. His expulsion from the New York Yacht Club was privately discussed and by his advice it was decided to call a special meeting to deal with the matter.

Women on School Boards.

ST. JOHN, N. B., Feb. 28.—The New Brunswick legislature has passed a bill providing for the appointment of two women on every school board in the province, one by the government in council, and one by the district or town's council.

First Season Like I.

West of London, Indiana, sold four gross of Chamberlain's Colic, Cholera and Diarrhoea Remedy and says every bottle of it gave perfect satisfaction. For sale by all druggists and dealers. BENSON, SMITH & CO., Agents, N. Y.

CENSURED FOR REMARKS.

Embassador Bayard Will Be Taken to Task.

Given a Lesson in Patriotism By Committee on Foreign Affairs. Minority Report to Be Presented.

WASHINGTON, Feb. 26.—Chairman Hitt, of the foreign affairs committee, yesterday reported to the House the preamble and resolutions agreed on by the foreign affairs committee, censuring Ambassador Bayard for portions of speeches he delivered at Edinburgh and Boston, Eng., accompanying the preamble and resolutions with a brief report which sets forth that Mr. Bayard did make the speeches containing the features alleged to be objectionable and saying that no action had been taken by the Government thereon. The preamble contains the extract of speeches which brought forth the resolutions on the subject in the House, and they are followed by the following resolution recommended by the committee: "Resolved, That it is the sense of the House of Representatives that Thomas F. Bayard, Ambassador to England, in publicly using the language above quoted, has committed an offense against diplomatic propriety and an abuse of the privileges of his exalted position which should make him the representative of the whole country and not of any political party. Such utterances are wholly inconsistent with that prudent, delicate and scrupulous reserve which he himself, while Secretary of State, enjoined upon all diplomatic agents of the United States. In one speech he offends a great body of his countrymen who believe in the policy of protection. In the other he offends all his countrymen who believe that Americans are capable of self-government. Therefore, as the immediate representatives of the American people, and in their name, we condemn and censure said utterances of the Hon. T. F. Bayard."

"Resolved, further, that in the opinion of the House of Representatives public speeches by our diplomatic or consular officers abroad which display partisanship, or which condemn any political party or party politics or organization of citizens in the United States, are in dereliction of the duty of such officers, impair their usefulness as public servants and diminish the confidence which they should always command at home and abroad."

For New War Ships.

WASHINGTON, Feb. 26.—The belief that the subcommittee on naval affairs has agreed on six new battle ships and fifteen torpedo boats is corroborated from a high source today. It is stated that the recommendations which the subcommittee will make call for an ultimate expenditure of about \$35,000,000.

Concord Going Home.

WASHINGTON, Feb. 25.—The gunboat Concord left Kobe, Japan, today en route to San Francisco. She may stop at Honolulu.

Indiana's Trial Trip.

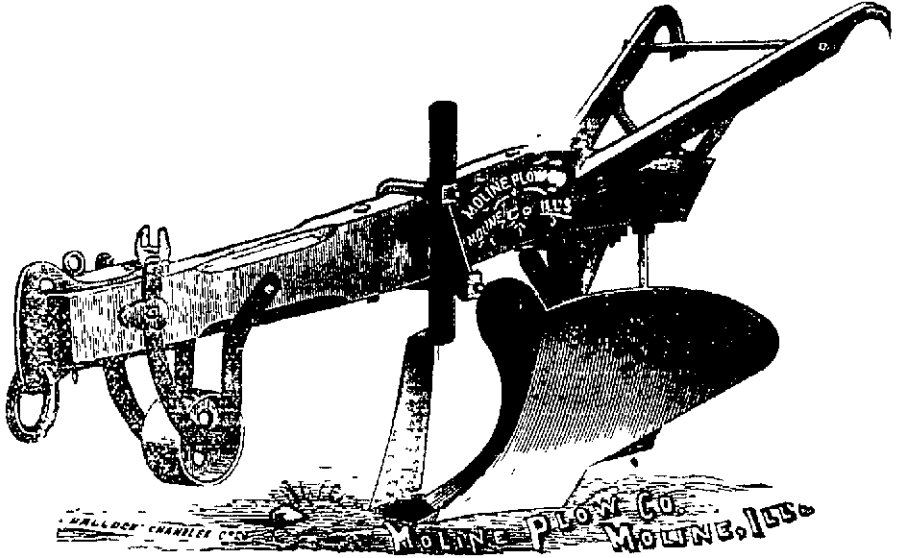
FORTRESS MONROE, Va., Feb. 25.—The battle ship Indiana, with the naval band of inspection on board, went to sea yesterday morning.

Miowera's Claim For Salvage.

VANCOUVER, Feb. 27.—The evidence of the captain of the Miowera was taken before A. C. Bowman, U. S. marine commissioner, and J. M. Ashton, representing the Strathnevis, at the Hotel Vancouver yesterday regarding the demand for salvage from the assisted steamer Strathnevis. The Strathnevis people claim that they were not saved by the Miowera as they were under sail for Victoria when spoken by the Canadian-Australian steamer, who supplied them with two boat loads of provisions, but did not render aid as alleged entitling them to salvage. Today the evidence of the first and second officers was taken. It is probable the case will be heard before Her Majesty's Admiralty court here.

There is a Time

For everything. And NOW is the time to break up your ground for planting cane. Planters, after trying other kinds of breakers, have come back to the **Hall Breakers** as being the **Best Kind in Use**. We have sold a great many within a few weeks, but still have on hand a few 12, 14 and 15 inch. We also have a few more of the celebrated



Hall's Furrow Plows:

No plantation is fully equipped without one or more of these. We have in stock a few of the **WHEEL WALKING SINGLE PLOWS**. This is the best stirring plow ever introduced here, and has fairly revolutionized the cultivation on some of the Hilo and Kau plantations. **TRY THEM!**

Also, Hall's Steel **SIDE HILL BREAKERS**, for use on hilly ground, and in use on many of the plantations in places where a steam plow or ordinary breaker will not work.

A number of years ago we introduced from Philadelphia the "Planet Jr. Horse Hoe," and have sold hundreds of them all over the Islands. It is one of the best cultivators ever used on plantations. We are selling a great many now, and have a few left. Now is the time to use them. Constantly on hand all sizes of

Rice Plows, Harrows, Buckeye Mowers, And All Kinds of Agricultural Implements.

The Aluminum Cane Knife

That we have this year introduced has had a wonderful success. We got entirely out, but have just received a new lot. Read this letter:

MESSES. E. O. HALL & SON, Honolulu.
DEAR SIRS:—Regarding the aluminum cane knives which you sold us some time ago, allow me to state that same have given us the utmost satisfaction, and we think them superior to any cane knife we have used. The knives are light and durable, and keep a very good edge. The handles are also a great improvement, and are well shaped for use. We are very anxious to see more of them, and will be glad to order them when you have the very best recommendation. We remain, Yours truly, H. P. FARR & CO.

We have received other letters just as commendatory.

The TROPIC OIL

For Engine and Cylinder meeting with great success. We thought we had enough to carry us through the season, but have got entirely out. We are expecting a new supply, however, in a day, and can supply any orders that may come in, besides some now on our books for delivery. The "Tropic" is a Very High Grade Oil and has given perfect satisfaction where it is being used.

E. O. HALL & SON.

CORNER FORT AND KING STS., HONOLULU.

INSURANCE

Theo. H. Davies & Co., Ltd.

AGENTS FOR FIRE, LIFE and MARINE INSURANCE.

Northern Assurance Co

Of London for FIRE & LIFE.

Established 1836.

Accumulated Funds, £3,975,000.

BRITISH AND FOREIGN

MARINE INSURANCE CO., Ltd.,

Of Liverpool for MARINE.

Capital - - £1,000,000.

Reduction of Rates.

Immediate Payment of Claims.

THEO. H. DAVIES & CO., Ltd., Agents.

Hamburg-Bremen Fire Insurance Co

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of F. A. SCHAEFER & CO., Agents.

General Insurance Company for Sea, River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands the undersigned General Agents are authorized to take risks against the dangers of the seas at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

German Lloyd Marine Insurance Co. OF BERLIN.

Fortuna General Insurance Company OF BERLIN.

The above Insurance Companies have established a General Agency here, and the undersigned, General Agents, are authorized to take risks against the dangers of the seas at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Gnl. Agts.

Trans-Atlantic Fire Insurance Company OF HAMBURG.

Capital of the company and reserve, reichsmarks - 6,000,000

Capital their reinsurance companies - 101,650,000

Total reichsmarks - 107,650,000

North German Fire Insurance Company OF HAMBURG.

Capital of the company and reserve, reichsmarks - 8,830,000

Capital their reinsurance companies - 35,000,000

Total reichsmarks - 43,830,000

The undersigned, General Agents of the above two companies for the Hawaiian Islands, are prepared to insure Buildings, Furniture, Merchandise and Produce, Machinery, etc., also Sugar and Rice Mills, and Vessels in the harbor, against loss or damage by fire on the most favorable terms.

H. HACKFELD & CO.

CASTLE & COOKE, Ltd.,

Life and Fire

Insurance Ag'ts.

AGENTS FOR

New England Mutual

LIFE INSURANCE COMPANY

Of Boston.

First Fire Insurance Company

Of Hartford.

North British and Mercantile

INSURANCE COMPANY.

TOTAL ASSETS 31ST DEC., 1894.

£11,671,018 2s. 2d.

1st—Authorized Capital, £3,000,000

Subscribed Capital, 2,750,000

Paid-up Capital - 487,500 0 0

2nd—Fire Funds - 2,410,992 7 3

3rd—Life and Annuity Funds - 4,572,525 14 11

£11,671,018 2s. 2d.

Revenue Fire Branch - 1,544,856 18 7

Revenue Life and Annuity Branches - 1,379,821 10 0

£2,924,677 18 7

The accumulated funds of the Fire and Life Departments are free from liability in respect of each other.

ED. HOFFSCHLAEGER & CO.,

Agents for the Hawaiian Islands.

S. T. ALEXANDER H. P. BALDWIN

ALEXANDER & BALDWIN

Commission Merchants,

NO. 3 CALIFORNIA STREET,

SAN FRANCISCO

Island Orders Promptly Filled.

BENSON, SMITH & CO.,

Jobbing and Manufacturing

PHARMACISTS.

DEALERS IN

PURE DRUGS,

Chemicals,

MEDICINAL PREPARATIONS

AND

Patent Medicines

At the Lowest Prices.

332, OF FORT AND HOTEL STREETS.

Metropolitan Market

KING STREET.

Choicest Meats

From Finest Herds.

G. J. WALLER, Proprietor.

Families and Shipping Supplied

ON SHORT NOTICE

AT THE

Lowest Market Prices

All Meats delivered from this market are Thoroughly Chilled immediately after killing by means of a Bell-Coleman Patent Dry Air Refrigerator. Meat so treated retains all its juicy properties and is guaranteed to keep longer after delivery than freshly-killed meat.

Beaver Saloon.

H. J. NOLTE, - Prop.

Begs to announce to his friends and the public in general that he has opened the above saloon, where

FIRST-CLASS REFRESHMENTS

Will be served from 3 a. m. till 10 p. m., under the immediate supervision of a competent Chef de Cuisine.

THE FINEST GRADES OF

Tobaccos,

Cigars, Pipes and

Smokers' Sundries

Chosen by a personal selection from first-class manufactories has been obtained and will be added to from time to time.

One of Brunswick & Balke's

Celebrated Billiard Tables

Connected with the establishment, where lovers of the cue can participate.

W. H. RICE,

Stock Raiser and Dealer

BREEDER OF

FINE HORSES AND CATTLE

From the Thoroughbred

Standard-bred Stallion Nutwood, by Nutwood Jr.

Norman Stallion Captain Grawl.

Native-Bred Stallion Boswell.

Also a Choice Lot of

BULLS, COWS AND CALVES

From the Celebrated Bulls

Sussex, Hereford, Ayrshire & Durham.

A Lot of

Fine Saddle and Carriage Horses

FOR SALE.

2 Pure-Bred Hereford Bulls For Sale.

Tourists and Excursion Parties desiring Single, Double or Four-Horse Teams or Saddle Horses can be accommodated at W. H. Rice's Livery Stables.

All communications to be addressed to

W. H. RICE, Lihue, Kauai.

N. FERNANDEZ,

Notary Public and Typewriter,

11 KAAHUMANU STREET

P. O. Box 338. Telephone 34.

In the Supreme Court of the Hawaiian Islands.

In Vacation. February 19, 1896.

In the Matter of the Contested Senatorial District of the First Senatorial District. H. L. HOLSTEIN, Petitioner. ALEX. YOUNG, Respondent. ALEX. YOUNG, Petitioner. H. L. HOLSTEIN, Respondent.

Before JUDD, C. J., FREAR, J., and Circuit Judge CARTER sitting in place of WHITING, J. absent from illness.

- 1 Upon a petition and answer in a contested election case putting in issue all ballots cast the Court examined all such ballots and determined in compliance with Article 40 of the Constitution who is elected.
- 2 A ballot marked with a cross by the voter not in the place provided for such cross but in the square where the candidate's name is printed should be rejected.
- 3 A ballot upon which the voter wrote the candidate's name instead of making a cross should be rejected.
- 4 A ballot upon which appears several straight marks preceding the cross should be rejected.
- 5 Ballots marked with a cross substantially though not entirely within the prescribed space should be counted.
- 6 A ballot containing a mark evidently the result of an accident in the printing office and not likely to attract attention, should not on that account be rejected.
- 7 A number of ballots were objected to because the crosses made by the voter were imperfectly drawn, in some instances the lines being repeated and in others not straight. All of them appeared to be honest efforts to make the prescribed cross and not for the purpose of enabling the ballot to be distinguished. Held, they should be counted.
- 8 Where a number of ballots objected to as not complying with the law if counted or rejected would not change the result the Court declined to consider them.

OPINION OF THE COURT, BY JUDD, C. J.

The election in question, a special one ordered by the Minister of the Interior to fill a vacancy caused by the resignation of Charles Nottley, Senator of the First Senatorial District, was duly held on the 8th January last. The proper officer made return to the Minister of the Interior that the election resulted in a tie, each of the two candidates, H. L. Holstein and Alexander Young, receiving the same number of ballots, to wit, 127.

A petition was filed by said H. L. Holstein in this Court, within the statutory time of thirty days after the election, claiming that two illegal ballots had been cast and counted for said Alexander Young, in precinct four of said district, and praying that the decision of the inspectors of the precinct where the alleged illegal ballots were cast counting them for said Alexander Young, be reversed and that the said ballots be declared illegal and void and that the petitioner be declared the duly elected Senator for said Senatorial District.

The opposing candidate, Alexander Young, thereafter but within the statutory time, filed his petition to this Court, alleging that some ten illegal ballots had been cast in the various precincts of the district for said H. L. Holstein, and that there were some ballots legally cast for said petitioner Young that were unlawfully rejected, as an examination of the ballots cast at the election will disclose, and praying that the illegal ballots cast for Young and rejected by the inspectors be counted and that the petitioner be declared the duly elected Senator for said Senatorial District. All the inspectors of election of the district, the opposing candidate and the Minister of the Interior had notice of the petition and appeared waiving summons and submitting to the order of the Court.

The said Alexander Young there after answered the petition of H. L. Holstein and alleged that ten ballots cast for Holstein were illegal and that Holstein should not have these counted for him, and that therefore he should not be declared elected and his petition should be dismissed.

At the day set for hearing Mr. Thurston, counsel for H. L. Holstein, moved that the Court either proceed to look into the whole question as to who was elected Senator at said election, on the petition of H. L. Holstein and the answer of Alexander Young, or postpone the hearing until the petition of Alexander Young be returned. That the Court should not consider each petition and answer separately, but hear both petitions together and determine upon all the ballots legally cast who was elected Senator.

Messrs. Kinney and Ballou contended that the sole question before the Court was whether Young had received credit for two illegal ballots and if so, whether Holstein had not received ten illegal ballots which would show that he was not elected, and therefore his petition should be dismissed. That the Court should confine itself to the exact issues raised by the petition and answer, and that Holstein's petition was not sufficient upon which to warrant the Court to proceed with an examination as to who was elected Senator.

We held on the 21st February that as both petitions alleged that certain illegal votes were cast at the election, the consideration of the first petition should be postponed until the return day of the second petition and that then the Court would hear both petitions and their respective answers together.

On the 27th February Mr. Holstein filed his answer to Mr. Young's petition, alleging and specifically designating many more illegal ballots that were counted for Mr. Young and praying the Court to cause an examination and recount of the ballots, and to decide which of the two candidates was elected.

under. Under a specific allegation, the proofs must be limited to it.

Mr. Thurston argued in reply Article 40 of the Constitution makes it obligatory upon the Court in case an election is legally contested to decide first, whether a legal election has been held and, second, who was elected. Upon Mr. Holstein's petition, it making a *prima facie* case in his favor, two illegal ballots being counted for Mr. Young, and the election having been declared a tie on the sheriff's canvass, the whole case is opened to the Court to decide who was elected as Senator.

Upon this point we hold as follows: Article 40 of the Constitution which reads, "In case an election to a seat in either house is disputed and legally contested, the Supreme Court shall be the sole judge of whether or not a legal election for such seat has been held, and if it shall find that a legal election has been held, it shall be the sole judge of who has been elected," was designed to remove from the jurisdiction of either house of legislature and to transfer to the Supreme Court all questions as to the validity of any disputed or contested election and all questions as to which candidate was legally elected. Its object was to remove all these exciting questions from the domain of partisan feeling and transfer them for settlement to a judicial tribunal.

For centuries in England, and for a lesser time in the United States and in these islands, constitutions have prescribed that each house of legislature should be the sole judge of the qualifications of its members. The surrender of this important jurisdiction to the Court does not necessarily imply that the strict rules of pleading and of admission of evidence adopted in civil actions should control in election contests. These contests are not strictly *inter partes*. The people have an interest in them and the burden is cast upon the Court of ascertaining, if possible, who was the choice of the people for the particular office as expressed legally by their vote. The main object of the contest must not be lost sight of. It is to ascertain who is legally elected.

When an election is contested the petitioner should state sufficiently the grounds of attack so as to advise all parties interested of its real nature. But looseness and indefiniteness of pleading which might prejudice parties by surprise should not be allowed. In the case before us all the pleadings, consisting of Holstein's petition and Young's answer in the first case, and Young's petition and Holstein's answer in the second case, raise all the objections by either of the parties (candidates) to the ballots claimed to be illegal. And in Young's petition not only are a number of ballots objected to as illegal and particularly described, but he alleges that many other illegal ballots were cast for Holstein at said election, and that ballots legally cast for Young were rejected, "as will more fully appear by an examination of the ballots cast at the said election." And Holstein, in his answer to this petition, also asks for a recount of all the ballots cast, and prays the Court to decide which of the ballots cast at the election are put in evidence by both Young's petition and Holstein's answer. As held in *Culick's Election*, 138 P. 2d 476, a party who puts in evidence all the ballots cast at an election for the purpose of supporting his allegation of illegal ballots cast for his opponent cannot "utilize so much of this evidence as will serve his turn and reject the remainder." Thus, if we confine ourselves to the strict rules of practice in civil actions we are authorized to pass upon all the ballots cast whether to the advantage or disadvantage of either party. And by article 40 of the Constitution we are required to decide upon the pleadings and evidence before us who is legally elected.

We have examined the various ballots objected to by both parties and heard argument upon their legality. Four ballots were cast for Alex. Young, numbered by the clerk of the Court as Exhibits 21, 22, 24 and 38 in which the cross (x) made by the voter was placed in the space in which the name of the candidate appeared and not in the space provided for the mark. The statutes applying are as follows: Section 90 of the Laws, Rules and Regulations for Holding Elections, which reads:

"The names of the candidates shall be placed upon the ballot in alphabetical order.

"A horizontal line shall be ruled between each name and its equivalent, if any, and the next name.

"Immediately after all the names, on the right hand side of the ballot, a vertical line shall be ruled, so that, in conjunction with said horizontal lines, a rectangular space shall be enclosed opposite each name and its equivalent, if any, of sufficient size to give ample room in which to designate the choice of the voter in the manner herein prescribed.

"All of the names upon a ballot shall be placed at a uniform distance from the left hand edge thereof, and close thereto."

And Section 100 id which reads: "A voter shall designate his choice for senators by making a cross, thus (x) on the right hand side of the ballot in the space or spaces provided for such purpose, opposite the name or names of the candidate or candidates for whom he desires to vote."

The ballots so marked are clearly illegal and should be rejected. Ballot Exhibit 26 was not marked with any cross, but had the name "Alex. Young" written in pencil in the space provided for the mark and should be rejected. This makes five ballots cast and counted for Alex. Young which are illegal and should be rejected.

Ballot Exhibit 41 was marked in the space provided for the mark opposite the name of H. L. Holstein as follows: "X". This should be rejected as being in violation of the third paragraph of section 100 of the rules, etc., id which reads: "Ita ballot contains any mark or symbol whereby it may be identified, or any mark or symbol contrary to the provisions hereof, then such ballot and all it contains must be rejected."

The three short marks immediately preceding the cross and having no connection with it, are "marks or symbols" whereby the ballot may be identified which is forbidden by the law.

Before considering further the numerous other objections that have been made to various ballots we find the law to be that the main object of the present system of voting is to secure secrecy of the ballot.

Various provisions of law are enacted so that no one but the voter shall know for whom he votes unless he shall thereafter disclose it. The provisions in respect to the place of affixing the mark, the character of the mark, and that no other mark or symbol shall be made upon the ballot, are designed to secure such uniformity in voting that any particular ballot cast shall not be distinguished and identified. We regard all these provisions as mandatory but, whether in any particular case they will be held to be fatal to the validity of the vote must depend upon the particular character of the variation from the statute requirement. An honest attempt at making the cross prescribed by the statute though imperfectly executed, while it is apparently due to want of skill or awkwardness in the use of the pencil, imperfect eyesight, or nervous trembling of the hand should not be rejected. The law should be construed if possible so as not to disfranchise the voter. A large number of the ballots cast are imperfectly marked. In some cases the voter was apparently not certain that his strokes of the pencil were sufficiently plain and repeated them. Some ballots were marked with trembling hands and the crosses are irregular, but we find none of them made with any design to have them identified there after. They were all counted for the candidates whose names are opposite them. We hold that none of them should be rejected.

A few ballots have the crosses very near, and in some instances touching, or intersecting the lines or the extension of the lines enclosing the spaces provided for the voters' marks for the respective candidates. But as these are substantially within the spaces provided for the mark, and the voters' choice readily appears, we do not reject any of them.

On the lower part of one ballot, Exhibit 5, cast for Mr. Holstein, there is a short red line. Judging from the appearance of the line, and from the nature of the fluid which made the line, and which is apparently the red-colored adhesive matter used for sticking the ballots together in blocks, it is obvious that the existence of the line on the ballot is the result of accident in the printing office. It would not be likely to attract the attention of a casual observer. Such being its character, we do not reject it.

There remain two classes of objections. We can see no difference in principle between them; they must stand or fall together.

In one precinct all of the six "specimen" ballots required by law (Section 81 of the Rules, etc.) to be posted, three outside the polling room and three in the voting compartment, were handed to voters and duly marked by them, cast and counted by the inspectors. These were all marked and counted for H. L. Holstein. There were also seventeen ballots which on their face showed that they were not properly folded as required by Section 96, which reads as follows:

"Before delivering a ballot to a voter the inspectors shall fold it twice, first across the middle so as to form a rectangle, and again in the same manner and in the same direction, and in such manner as to conceal the contents thereof."

These ballots bear creases showing where they were folded and they were only folded once and not twice in the same direction. Of these, ten were marked, cast and counted for Alexander Young and seven for H. L. Holstein. Of a hundred and twenty-seven (127) ballots in all were counted for Alexander Young. Deducting the five (5) ballots which we have above rejected from this number, will leave one hundred and twenty-two (122) votes for Mr. Young.

Of a hundred and twenty-seven (127) ballots were counted for H. L. Holstein. Deducting the one for him which we have above rejected will leave him one hundred and twenty-six (126) votes. Now, if the improperly folded ballots counted for Young, ten in number, were rejected it will leave 112 votes for him. If the seven (7) improperly folded ballots cast for Holstein were deducted from his 126, it will leave him 119, and if the six "specimen" ballots cast for Holstein are deducted he will have 113 votes, a majority of one over Young. Rejecting all the improperly folded ballots and "specimen" ballots from the number cast severally for both candidates will not change the result.

Holstein will still have a majority of one. Counting the specimen ballots for Holstein he would have a majority of seven. For this reason we do not find it necessary to the decision of this case to make any ruling whether these last classes of ballots should or should not be counted.

The following cases are referred to: 6 Am. & Eng. Enc. of Law, 349, *Phelan v. Walsh*, 62 Conn. 280, *Parker v. Orr*, 41 N. E. Rep. (Ill.) 1002.

Benning v. Hare, 62 N. W. Rep. Minn. 116; *Vallier v. Brakke*, 64 Ib. (S. D.) 180, *Whitman v. Zahorka*, 59 Ib. (Ia.) 57, *Ellis v. Scott*, 61 Ib. (Mich.) 646, *Buckner v. Lynip*, 41 Pac. Rep. (Nev.) 762.

Kirk v. Rhoads, 46 Cal. 399, *Rutledge v. Crawford*, 91 Ib. 526, *Sego v. Stodard*, 138 Ind. 297, *Curran v. Clayton*, 86 Me. 42, *Taylor v. Bleakley*, 25 L. R. A. (Kan.) 633.

Bowers v. Smith, 111 Mo. 45, *Ackers v. Howard*, L. R. 16 Q. B. Div. 739, *In re Paikuli*, 8 Haw. 1680, *Mattison v. Barnard*, 5 Haw. 173, *In re J. N. Kapa*, 5 Haw. 173.

We hereby render judgment that H. L. Holstein was duly elected Senator for the First Senatorial District at the second election held January 6, 1896, as stated.

Hartwell, Thurston & Stanley for petitioner. *Kinney & Ballou* for respondent. Honolulu, March 6th, 1896.

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